POLICE · BUDGET · EDITION · EDITED · BY HAROLD FURNISS

FAMOUS CRIMES

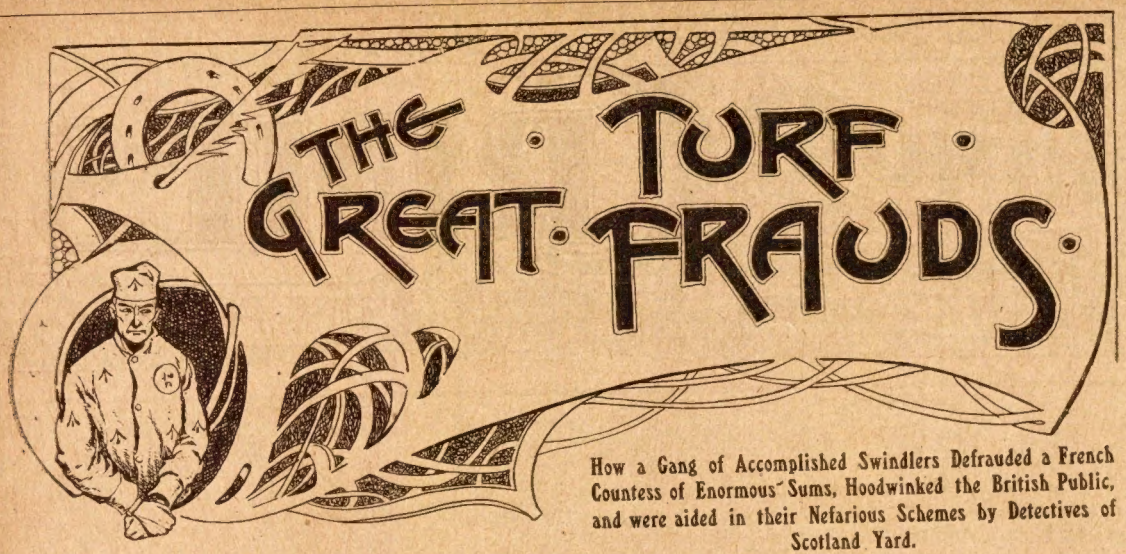
PAST AND PRESENT

ONE · PENNY

THE MAN IN THE QUAKER HAT WAS DETECTIVE INSPECTOR BYRNE.

(See "*The Great Turf Frauds.*")

Vol. IV.—No. 52.



THE GREAT TURF FRAUDS

How a Gang of Accomplished Swindlers Defrauded a French Countess of Enormous Sums, Hoodwinked the British Public, and were aided in their Nefarious Schemes by Detectives of Scotland Yard.

"The fraud of men was ever so."
—SHAKESPEARE, "Much Ado About Nothing," Act II., Scene 3 (Song).

PART I.

THE scent of an old case comes down the wind with an odour that is not quite pleasant. One could scarcely believe that a deep-sliced quarter of a century had been cut off our lives since the Great Turf Frauds astonished the British public with the evidences of courage, capability, and ingenuity that belonged, and undoubtedly still belongs, to a certain class of criminals.

It is not our present intention to refer, except in a casual way, to the case which was recently before the High Court. All that we will say is that in our humble opinion Meiklejohn, the Scotland Yard ex-detective, was exceedingly ill-advised to bring an action for libel against Major Arthur Griffiths, and his publishers, Messrs. Cassell, Ltd. The libel complained of was contained in a book which the defendants have brought out, and referred to Meiklejohn's connection with the gigantic swindle of which we are now to give an account. There may be two opinions as to the advisability of an ex-servant of the Home Office disclosing to the public "the secrets of the prison-house." On the one hand it may be urged that a man who has held the responsible positions of prison governor and Inspector of Prisons is the best qualified to give information regarding our penal establishments; while, on the other hand, it may be queried whether any such account can be totally untinged with "officialism," and whether the people are not told "just as much as the Government wishes them to believe," and the darker mysteries of our Houses of Correction, and the tyranny alleged to be practised there, purposely ignored.

This, however, is merely by the way, and we will now proceed to the long and somewhat difficult task of unwinding the extremely tangled skein of fraud in which Kurr, Benson, and others enmeshed their victims.

In the year 1872 a very ingenious fraud was perpetrated on the Lord Mayor of London by a young man, who, by his excellent address and consummate effrontery, contrived to swindle the chief magistrate of the City out of the sum of one thousand pounds. That young man was to become the notorious principal in the Turf Frauds. His name was Benson, and, upon conviction, he received the sentence of twelve months' imprisonment.

While undergoing that punishment his conscience smote him so severely that he attempted to commit suicide by setting fire to his bed. He was rescued in time to defeat the object he had premeditated, but he was, nevertheless, desperately injured. For many months he lay helpless in hospital. His lower limbs were paralysed, and he could not move without assistance. By-and-by he began to recover, but for a long time hobbled about on crutches. These, however, were at last discarded, and by the time he appeared again upon the scene in the drama of crime he was able to get about with the aid of a couple of walking-sticks.

In many ways Benson was a gifted being. He was a

For many months he lay helpless.

thorough musician, and had composed several pieces of his own; as a linguist he was far above the average, speaking fluently most of the modern languages of Europe, and as a keen man of business he was unrivalled. Of Jewish extraction, he was born a British subject. His father was a most respectable merchant in Paris, and had given his accomplished, but erring son, a good, sound education both in England and in France.

Whether the rascal had ever been in trouble before his audacious imposition on the Lord Mayor we cannot say, but it is not at all unlikely that he had already fleshed his virgin weapon of fraud in other directions before bringing it to bear on such an important person as the temporary occupant of the Mansion House.

Be that as it may, we are at liberty to assume that when Benson was liberated after serving his twelve months he was a changed man both morally and physically. The suffering he had undergone had wrecked his constitution, and his mind, though still keen and active, was now bent upon making an honest living.

To that end he caused an advertisement to be inserted in the newspapers asking for work of a literary character. It in no wise overrated his acquirements, setting them forth justly and in moderation, as a man of gentlemanly instincts would describe his attainments.

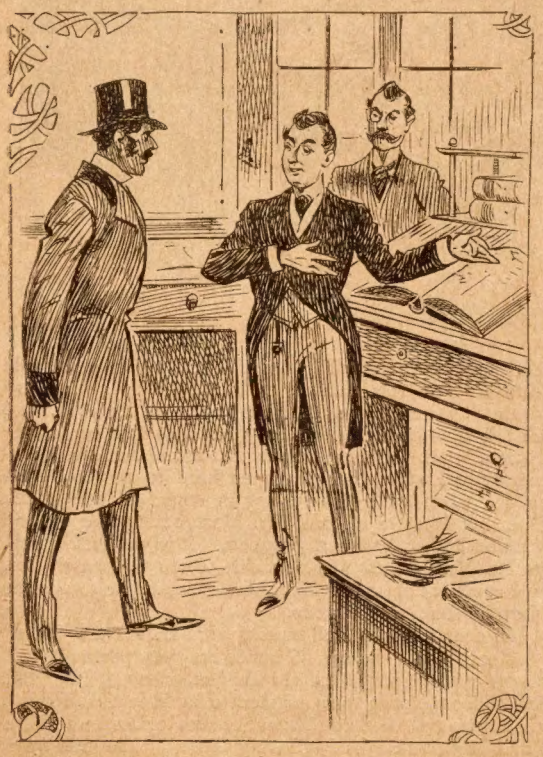
Little did he suspect when those advertisements were sent out to the British public that they were once more to launch him forth on a career of iniquity and of crime.

Among the persons who were then eagerly scanning the advertisement columns of the newspapers was one William Kurr, who was on the outlook for just such a versatile individual as Benson appeared to be. He had a big scheme in his head, and he required a man with a full knowledge of the Continent—a man possessed of literary ability, savoir faire, and business capacity. He read Benson's estimate of himself, and believed the advertiser had in him the very character he wanted. Kurr at once wrote to the ex-convict, who was living in the Isle of Wight, under the alias of Yonge. A correspondence ensued, and Benson was engaged on probation.

Before going further, we must take a glance at the antecedents of this man William Kurr.

His father was an honest and decent tradesman in the Caledonian Road. If our memory serves us correctly, he was a baker and the parent of a large family. He was, we understand, a person of careful habits, and he did his best to bring up those dependent upon him in a laudable fashion.

William at an early age was employed as a clerk on the South Eastern Railway. This avocation, however, did not exactly suit the ambitious designs already forming themselves in that young gentleman's brain. The consequence was that at the mature age of fourteen years he severed his connection with the railway company, and dived into the world with the idea of speedily reaching the surface of things.



They showed everything correct.

Completely mystified the bank manager.

His first essay was to enter the office of a money-lender and bill-discounter; but he very soon discovered that he had leapt out of the frying-pan into the fire. There was no more chance for his talents in the money-lender's office than there had been in the counting house of the railway company.

No doubt Kurr received a certain amount of enlightenment into the devious ways of the men of the world while occupying a stool in the bill-discounter's establishment — a knowledge which he was afterwards to make use of to his own advantage for a time.

Probably he there acquired a taste for gambling. Now, there are two ways of gambling. They both aim at the same end, but

The Comtesse de Goncourt.

they are usually very different in the result. The methods are as old as the hills. They are those of the rook and the pigeon.

Kurr had seen pigeons plucked, and he resolved, if possible, that he would lose none of his own feathers.

With this idea he began frequenting racecourses, and we soon find him quite familiar with the Turf. There was a certain mystery attaching to him about that period, but presently he was discovered to be closely associated with a firm known as Philip Gardner and Co., of Edinburgh. This firm was of a peculiar description. It issued glowing circulars as to the fortunes to be made by betting, and waited for the "mugs" to write in. "Mugs" did write in. "Mugs" always will when there is only a bait big enough thrown out.

At first Gardner and Co. seemed to act fairly enough. police in London, and had to transfer its operations to Brighton and elsewhere.

Shortly after the meeting between Kurr and Benson the good resolutions of the latter seemed to have been wholly swept away. The allurements held out by the more courageous scoundrel attracted Benson's subtle mind, and he plunged recklessly into the scheme, throwing all his principles to the wind, and even assuming the lead in the business.

A paper called "The Sport" was published. That idea was indisputably an emanation of Kurr's brain, but he could never have carried it out had Benson not appeared at the psychological moment. Benson took the reins, and Kurr, in a measure, was relegated to a back seat.

In this wonderful sheet appeared an account of a Mr. Andrew Montgomery, who had started in the world with

REPRESENTING HIMSELF TO BE CORRESPONDENT OF THE "REFEREE."

They paid up their losses and scooped in their winnings, as any other firm might; but, somehow, they commenced to lose more than their clients could understand. To be sure, they showed everything correct when the dupes came to examine their books, but the game appeared to be going badly with them, and there was no money for the "mugs." Of course, Gardner and Co. were pocketing all that was sent, and "faking" things to put the "punters" off. The evil day, however, could not long be staved off, so Gardner and Co. shut up shop.

With a very decent sum to tide him over a spell of idleness Kurr began to hatch up a new plot. He was a man of immense daring, and his imagination was prolific, though he lacked the finesse and culture of Benson. The result of his meditations was the inauguration of a concern called the "Systematic Investment Society." This to a great extent seemed to have been presided over by Kurr's brother, Frederick, who was ever present at the offices, and received letters; but it was eventually bowled over by the absolutely nothing, and by betting had acquired a noble fortune. But this marvellous philanthropist, far from wishing to use his wealth for his own sordid ends, had handed over from £1,600 to £1,800 to the Lancashire Distress Fund. The paper went on to state that Mr. Montgomery and others had struggled hard to put the great national sport on a true footing in regard to the Jockey Club, but in spite of that, Mr. Montgomery had on one occasion lost no less than £25,000. It was a hard knock, yet Mr. Montgomery was soon able to recoup himself, for, by a combination with bookmakers, he was able to win the splendid sum of £165,000.

Of course, this was all bunkum, but it drew the "flats."

Then a new system of imposture was planned. A printer of Edinburgh, named Bryden, who set up "The Sport" for the gang (now augmented by Bale and Murray), was instructed to have cheque forms printed of "The Royal Bank of England, Charing Cross." This was done, and upon that Kurr and Benson began to write fabulous

amounts upon the forms. One of these, made payable to Charles Simpson—neither bank nor payee being in existence—was made the subject of one of the forging charges. It was stated that forgery does not consist only in imitating a man's signature, but also in the act of writing a man's name with the knowledge that the man does not live.

None of the conspirators were aware of that fact, and thereby they ran their heads into a hole.

Cheques filled up in this way were sent to the Continent for the purpose of establishing confidence, and they achieved their object.

Money came rolling in to be planked down on horses named, or for the firm of "Archer and Co." to use its own discretion with. This firm of "Archer and Co." had offices in Northumberland Street, Strand, and was the illegitimate successor of Gardner and Co., proceeding on the same lines, though on a larger scale.

The Comtesse de Goncourt was one of the first dupes of the gang, and her money came regularly till Benson and Kurr had £10,000 or more in their clutches.

Although this French lady speculated so wildly at first, induced to do so by the plausible representations of the gang, she could not stand continual losses. At one time Benson wrote her for £30,000 to put on a horse, but her bankers would not let her have the money, seeing the infatuated woman was rushing madly to ruin. They opened her eyes slightly and she went to Paris to make inquiries. That was the beginning of the end. Detectives were put upon the track to hunt down the swindlers, and eventually they succeeded in doing so; but that is another story.

Meanwhile the gang were at their wits' end how to get rid of the money that came to them so rapidly without incurring suspicion.

Benson and Kurr went to Glasgow, and then to Bridge of Allen, a fashionable little spa not very far from Stirling. There they entered into various transactions with the manager of the Alloa branch of the Clydesdale Bank, Kurr being represented as a Captain Gifford. These two completely mystified the bank agent by the complexity of their arrangements, and eventually they succeeded in depositing a considerable sum in feigned names. This they believed, of course, they would be able to withdraw in another form, but in that they were disappointed.

BENSON'S SUICIDE IN A NEW YORK PRISON.

To go into the whole of the details of those monetary transactions would only be tedious to the reader; suffice it to say that Murray was afterwards sent to withdraw a great portion of it, but did not succeed. This appears to have been the only tangible link that connected this man with the others; but there was evidence to prove he had been an associate of theirs all through.

The keen intellect of Benson, and the strong, bold, and unabashed nature of Kurr carried them through as long as the swindle lasted. Their career was short, but as Archer and Co. alone they netted over £13,000 in six weeks.

The mode of their capture was rather singular. Being

warned by the police—of this more anon—three escaped to Holland. At Rotterdam two of them put up at a hotel in false names. Their usual aliases had been interchanged, but they had got mixed somehow, and when Benson arrived at another hotel Kurr and Murray did not know whom to ask for when they called. This excited a waiter's suspicions, and when an effort was made to exchange a Clydesdale Bank note of £100 the police were called in, and the three were arrested. In a flannel belt round Benson's waist were sewn the sum of £2,500 in £100 notes, and in all £10,000 in notes on the Clydesdale Bank were seized and sent back to England.

Meiklejohn.

At their trial, which lasted ten days, and began on the 13th of April, 1877, they all virtually pleaded "Not Guilty" to the thirteen different indictments. Benson took exception to the charge of forgery, but that was made little of.

Baron Huddlestone was on the Bench, and at the end summed up in a manner which drew the utmost admiration from all present. In such an intricate case it was difficult for the jury to digest every fresh piece of evidence as it arose; but the judge made all clear for them at the close, and they were only twenty minutes in bringing in their verdict of Guilty.

Benson.

The sentences were severe, and accompanied by some very pertinent remarks by the worthy baron anent the better uses to which the prisoners might have put their talents; but his animadversions were not one whit too stringent, and so they went away—Benson to fifteen years' penal servitude, and the others to ten, except Murray who received eighteen months' hard labour.

It may not be out of place here to give the end of Benson's career, though he appears again in the second part of our story.

After his release from Portland it appears that he went to Calcutta, where he became enamoured of a beautiful girl, the daughter of a surgeon-general. His fascinating manners and musical powers enraptured the young lady, and an engagement was the result. The old doctor trusted his future son-in-law implicitly, and one day sent him with the key to the safe-deposit vaults to bring him some coupons which were to be converted into cash.

Wm. Kurr.

The temptation was too strong for Benson. He saw that the securities were payable at the Chemical Bank, New York, and the first steamer saw him on his way to the Empire City.

His journey was in vain, however, for the coupons could not be converted without communication with Calcutta.

Benson was desperate.

About that time Madame Patti was advertised to appear in New York, and Benson, representing himself to be the correspondent of the London "Referee" and the Paris "Figaro," gleaned from the late Mr. Marcus Mayer, the prima donna's advance agent, the whole of the lady's future plans.

Mexico was to be included in the tour, and Benson at once set out for that republic, where he booked seats to the amount of £12,000, representing himself to be the brother of Mr. Marcus Mayer, who happened to be ill at the time.

With that tidy little sum in his pocket the consummate little swindler decamped, paying an engine-driver £200 to see him safely over the Mexican border. He at once made his way to New York, where the last scene in the tragedy of his life was to be enacted.

Druscovitch.

One would have imagined that with £12,000 at his command the man would have been satisfied; but it must not be forgotten that Benson was a Jew, and possessed of the pertinacious character of the Hebrew, combined with the love for shekels. His first visit in New York, therefore, was to the Chemical Bank to realise the securities stolen from Calcutta. He was disappointed again. The bank officials were still unable to cash them.

Benson's temper was aroused, and he continued his observations on the bank and all connected therewith until he reached the door.

A man with a Quaker hat was passing, who paused for a moment to listen. Two seconds later Benson found himself on his way to Ludlow Street Gaol, where he was charged with stealing the Indian surgeon-general's bonds.

The man in the Quaker hat was Detective-Inspector Byrne, one of the smartest officers in the New York Police.

While inquiries regarding the bonds were being prosecuted the Mexican affair leaked out, and, after some months, during which time Benson's servant made a couple of ineffectual attempts to achieve his master's escape, it was decided to extradite Benson to Mexico.

This depressing news seemed to set Benson's brain on fire. A few minutes after the intelligence reached him he threw himself from a high gallery in the prison to the flags of the lower floor. He was picked up dead. That happened on a hot night in the summer of 1888, sixteen years after his first attempt at suicide.

Benson left a will. By it he empowered his solicitor to pay himself liberally for his services out of the funds left with him, to buy a grave and a headstone for him, and present the remainder to his "faithful servant and friend, Kelly."

TO BE CONCLUDED

Bartlett's Dash for Freedom.

"Stone walls do not a prison make,
Nor iron bars a cage."
—LOVELACE, "To Althea."

MANY years of degrading toil, converted into a veritable machine without will or volition, stared William Bartlett, burglar, in the face when he was transferred from Pentonville Prison to the convict station at Portland in 1869. He knew that no one had ever managed to escape from that awful camp of sin and sorrow, yet he determined to do what others had failed to do. He succeeded, and this is how he gained a few hours of freedom.

One lucky day he picked up a fragment of hoop iron, which he secreted in his shoe. From another convict he purchased a scrap of broken file, the price being his dinner, and with this he managed to convert the iron into a little saw. When the warders had gone their night rounds, Bartlett worked stealthily, sawing through the boards of the floor of his cell, carefully replacing the timber at the slightest sound. At last he had made a hole sufficient to admit his body, when, to his horror, he found that beneath the woodwork ran a layer of sheet iron. Nothing daunted, he set to work, and cut through this, the hoop iron getting thinner daily, and his hands raw and bleeding from his labours. Still he kept on. Three months it took him to penetrate the iron, three months of agonising suspense, for discovery meant longer imprisonment, and the dreaded "cat," and then he saw his way clear to escape, for beneath the iron was an air-shaft.

It was a dark night, and all was still when the convict determined to make his bold bid for liberty. That day he had picked up a "dog," a piece of wood with iron hooks at each end, and that was a most valuable acquisition to him. Placing his stool beneath his quilt to resemble his body as much as possible, he made a rope with his sheets, and taking the "dog," descended into the hole he had made. Crawling along the shaft, he came to an iron grating, which he lifted, and stood at last in the open air. But there was still much to be done. Attaching the "dog" to the end of his sheets, he flung it over a wall, and thus gained the roof of the officers' quarters. Straining his ears, he could hear no sound to indicate that he had been missed from his cell.

From the roof to the boundary wall of the prison was a distance of twelve feet. This had to be jumped, and Bartlett did so, knowing that if he missed his footing on the top of the wall probable death and a certain disablement for life awaited him. Still he did not flinch, and made the spring, carrying his rope and hooks with him. By means of these he reached the ground, and stood outside the gaol, a free man.

But there was now the question of covering his flight. The hooks held so fast that he could not dislodge them, so he had to leave the damning evidence of his means of egress and flee for liberty, for he heard footsteps approaching. With a rush he gained the garden of the "Grove" public-house, and there saw one of the civil guard walk up to the ladder and inspect it. A second afterwards two shots rang out on the night air, followed by the booming of the prison bell, the signal that a convict had escaped. Guards and warders rushed by him, little dreaming that he was watching them from behind a hedge. Then all was still again, and Bartlett crawled through the window of a Roman Catholic chapel and hid himself beneath the altar to snatch a few hours' rest and wait for darkness on the following night.

Service was held in the chapel in the morning, and the cowering prisoner was fearful lest a cough or a sneeze should betray him; but fortune favoured him, and he was not discovered. Hunger, however, began to tell on him, and after thirty-three hours' sanctuary he left the chapel and broke into the Clifton Hotel, from whence he stole some bread and cheese, meat, tobacco, a hat, and some clothes. With these he returned to the chapel and again took up his quarters under the Communion-table. There he remained for six days, hearing the frequent services unsuspected.

At last, overcome by fatigue, he determined to take a further step towards liberty, and broke into the priest's house and stole a vestment, from which he made a kind of shirt. Putting this on, he boldly marched down the road, meeting a milkman, who gave information to the authorities. When about nineteen miles from Portland he went into a field to rest, but was discovered by a couple of men blackberrying. He told them he was going to Blandford, and they offered to show him the way.

While walking together, the party met a couple of police officers, who invited Bartlett into a little public-house and asked him to give an account of himself. He proceeded to do so, until one asked him if he had a mark on his arm. Then he knew the game was up, and made a bold dash for the door. The constables, however, were too quick for him, and he was captured and taken back to Portland. At the next assizes he was tried for the burglary at the Clifton Hotel, and eight years more of penal servitude added to his sentence. The indomitable pluck of the man certainly deserved a better fate than a life in a penal settlement.

The Parson's Retort.

A JUSTICE of the Peace, overtaking a parson riding along the London road, told his companions that he would give the reverend gentleman a question to answer which he would find very difficult to deal with, and on coming up to him, he said, "Sir, you don't follow your Master's rule, for He was content to ride on an ass, but you have a very fine horse." The parson retorted, "No, the reason is because the King has made so many asses Justices of the Peace that a poor clergyman cannot now find one to ride upon."

The Crooked Rib.

SIR THOMAS CLARKE was once dining with Sir Joseph Jekyll, Master of the Rolls, and Lady Jekyll, who was one of the sisters of Lord Somers, and who was, of course, present, was often puzzling the company and herself with curious questions. After dinner she said to Mr. Whiston, a famous scholar, "I want to ask you, Mr. Whiston, if you can enlighten me on a certain question. A difficulty occurs to me in the Mosaic account of the creation, and it is this: Since it pleased God to create the woman out of the man, why did He form her out of the rib rather than out of any other part?" Whiston hesitated, scratched his head, and then answered, "Indeed, madam, I don't know, unless it be that the rib is the most crooked part of the body."

"There, madam," said the Master of the Rolls, "you have it now; I hope you are satisfied."

Angel Anderson,

A Love Tragedy

"What will not woman, gentle woman, dare
When strong affection stirs her spirit up."
—SOUTHEY, "Madoc," Vol. I., Part 2.

IN the late summer of 1853 a stranger rode into Crow's Gulch, California. The man's appearance irresistibly suggested the "tenderfoot." He was tall, and of somewhat slender build; his hands were as white as a woman's, his complexion fair, and his hair fell in loose brown ringlets round a high, smooth forehead. He was attired in riding costume of a fashionable cut, a wide sombrero was perched negligently upon his head, and he smoked a long, thin-shaped cheroot of Spanish pattern. Evidently a traveller, and a gentleman. Certainly a gentleman; the stranger's carriage, easy nonchalance of manner, testified to the fact that he had been accustomed to grace well-bred circles of society. Besides which there was that indescribable something about him, that mark which eludes all description, and is yet recognisable in a moment, which proclaims the aristocrat.

In rude contrast to our horseman were the surroundings in which we find him. Deep chasms, wild forest land, gullies, ragged crags, and steep precipices abounded on all sides, and beyond, stretching farther than the eye could range, stood the blue, purple-flecked mountains, raising their dizzy peaks into the clouds.

The stranger halted when he reached that conglomeration of shanties and huts which at the time of this history was known by the name of Crow's Gulch. He stopped short before a certain wooden edifice that rejoiced in the distinction of being "O'Reilly's Bar." A group of rough-looking men, clad for the most part in the miner's red shirt and muddied leggings, stood round the door, puffing at clay pipes, and watching the evolutions of the stranger with evident amusement and interest.

"Bit of a swell, eh?" remarked an old fellow who rejoiced in the pseudonym of Daisy Dan.

"Looks green."

"Knows the saddle, though; reckon he warn't born yesterday."

With a light spring the horseman vaulted from the saddle, fastened the reins to a post, and marched into the saloon.

A group of men playing with a pack of greasy cards at a table scrutinised him narrowly as he entered, and a fat little man, with red hair, who was a reading a month old newspaper behind the bar, jumped up as though he had been shot.

Strangers were scarce in Crow's Gulch, and the inhabitants had a wholesome fear of the law's emissaries.

"Give me something to drink, landlord. Why, don't stand staring there as though you'd seen a ghost while a fellow creature stands starving for a drink!"

The tone of the stranger caused a laugh to run through the room. He was evidently not so green as he looked.

He drank two tumblers of raw brandy without turning a hair, and bowed his respects to the company. This feat further predisposed all present in his favour.

"Can anyone here," he said presently, in a loud voice, "tell me where a man can hang out in these parts?"

"Do you mean a lodging?" put in Daisy Dan.

"That's about the size of my remarks."

"Waal, I should advise ye to see old Anderson; his daater will be here, I 'spect, every mortal minute."

"Daughter! Didn't know there were any women in these parts."

"Waal, they ain't numerous; there's five in this here town, and only one worth the name."

"And who's that?"

"Angel Anderson."

"She that's coming here?"

"Yes; she's a gel in a million."

By this time the new "pard" was in conversation with all the company that graced O'Reilly's bar. He confided to them that his name was Clayton—William Clayton, from New York City.

"Better call me Bill," said he.

"We've a number of Bills hereabouts. Gentleman Bill's about your mark, seeing you to be such a toff."

Clayton laughed

"Anything you like," said he.

Further questions he was not asked, for in the society of Crow's Gulch there was no more flagrant breach of etiquette than to exhibit curiosity about a newcomer's antecedents. As long as a man let you see the colour of his coin, drank deeply, and shuffled the cards with decent skill, he was voted fit company for one and all in California.

Whilst Bill Clayton—or Gentleman Bill, as he was called—stood treat round in honour of his admission into the select circles of Crow's Gulch, a shout from Daisy Dan announced the appearance of that young lady of whom he had before spoken as Angel Anderson.

"Say, boys, I'm coming right in for a drink!" cried a girl's voice, sweet, wild, and melodious.

Involuntarily interested, Gentleman Bill turned round at the sound of that voice, so alien to its environment. Angel was standing in the doorway, a riding-whip in one hand and a large sombrero in the other.

She made an extraordinary figure. Tall, lithesome, and slender, she was clad in a short petticoat of Mexican pattern, men's riding boots, adorned with huge spurs, a loose, open jacket, with brilliant-coloured scarf knotted round her throat.

She was very dark; her hair, untouched by brush and unribboned, fell in profuse ebon ringlets on either side of her small oval face. Her eyes were large, luminous, and were fringed with the longest lashes, and her complexion, tanned by Western suns, was inclined to be swarthy. Her mouth was large, full-lipped, and just afforded the finishing touch to the bold, dare-devil appearance of the girl.

She walked confidently into the bar, throwing back her ringlets, and slapped a coin on to the counter.

"A trifle of whisky, me darlint," she said, with a wink, mimicking the Irish accent; "and, moind, Misther O'Reilly, that it's the right sort, or Oi clap me shooter on ter ye!"

The crowd of men gathered round the girl laughed; all except Gentleman Bill, and he was too astounded at the bearing and manner of Angel to join in the general merriment. She noticed him in an instant.

"What! a stranger? Say, pard, where do you hail from?" she said, going straight up to him and slapping his shoulder.

"New York City," he answered, with a bow.

"Oh, heaven!" cried Angel, expectorating freely on the floor; "you talk just green. Take me fer a New York aristocrat, do you, tenderfoot? Well, you've shot wide this time. Anyway, here's your lucky!"

She tossed off her whisky with the air of a seasoned toper, and gave the crowd an encouraging wink.

"Wants lodgings, Angel," said Daisy Dan, jerking his thumb at Bill Clayton.

"Wants lodgings, do you? Our shop will just fit your leathers. I'll nurse you up like a babby."

It was arranged forthwith that Angel should take Gentleman Bill to interview her father, who was then reported to be sober. It was not wise to waste time, as the old gentleman could not be expected to last long in this state, so Angel and her new friend mounted their horses and cantered away from O'Reilly's bar to the other end of the Gulch, where they stopped before a small, weather-beaten shanty, remarkable for nothing so much as its dirt and broken windows.

Old Anderson, an old man, lame in one leg and rickety on both, easily came to terms with his prospective lodger. Gentleman Bill, acting on the principle that beggars cannot afford to be choosers, was amenable to almost anything, but he would have shied at Anderson for a landlord had it not been for the interest and curiosity the old drunkard's daughter had aroused in his breast. In three days' time Clayton had thoroughly settled down in his new quarters. Daisy Dan found him a "job," and provided for his amusement by introducing him to all the card-sharpers in the district. But, to the surprise of all, Gentleman Bill was not bitten. It was found that he could palm a card with the best man in Crow's Gulch, and use his revolver with admirable, albeit dangerous skill, if occasion called for it. No one was more surprised at this than Angel, who could not understand Clayton at all. He treated her for the greater part as though she had been a lady, which proved him to be a fool, and yet shot with the coolness and precision of the greatest bully in all Crow's Gulch.

"Say," she said to him one day, "I can't size you up a little."

"Why, what's wrong with me? Don't say I have offended the angel."

"Now you're laughing at me. If——"

"If what?"

"Never mind. Tell me just this: Do you like me?"

"Of course I do."

"Real honest?"

"Real honest."

"I'm not like them—them up New York way?"

"No; the girls there are very different."

"Better than me?"

"No, not they. Take 'em in a bundle, they're all alike, and you're unique."

"I'm what? Talk straight, pard."

"Well, there's only one Angel."

The girl did not speak for a moment; she sat in the doorway of her father's shanty, her little head resting on her sunbrowned hands, looking in a half dreamy sort of manner far away into the distance, whilst Gentleman Bill lounged idly against the door smoking his bad cigar, and looking down half whimsically, half pityingly at the strange, wild girl by his side.

"Tell you what," said Angel, suddenly looking up, "you've been a dude down New York way."

"Think so?"

"Certain sure."

"Well, I've dropped it now—it's dropped me, rather."

"Sorry?"

"Not particular."

"Guess you haven't seen many like me in your natural?"

"As I said, you are unique."

The colour rushed into the girl's face, and her hand gripped tightly at her belt.

"Say, if it was another man, I'd plug you for that; damn me dead if I wouldn't. Why can't you talk straight?"

Gentleman Bill laughed, and, stooping down, ran his hand caressingly through Angel's raven hair. She sat quite still, blushing as though she had been a society maiden receiving her first compliment.

"Ever thought of love, Angel?" asked Clayton, in a soft tone.

"What are yer gettin' at? S'pose I have in a sort of way."

"Been heart-broken?"

"You're——"

"No, I'm not laughing at you."

"Well, can't say that I have suffered more than a broken arm up to present."

"Who did that?"

"Jock. He's dead now. Got a bullet in his lug when he was a bit sizy."

"Did you love him?"

"I tell you I've never had anything to do with love."

"What, then?"

"Well, it's been a case of eating half a nothin' or——"

"Good heavens! and you've done that, Angel?"

She looked up, startled, into his face. She saw that he was shocked and became defiant.

"You won't find saints in these here parts, Mr. New Yorker," she said.

"No, no—only Angels."

The taunt stung her to the heart. She sprang at him like a wild animal, and struck him between the eyes. He reeled back, for the blow was shrewd and given with the force of a man. Then he caught her by the wrists and held her down.

"Listen, Angel," he said, in a thick voice. "I like you so well that you gave me a real stunner when you told me that. Don't ever talk of it again."

The whole expression of Angel's face changed; all the fierceness died out of her. Tears rushed into her eyes, but she could not bear to be seen crying, so she slunk silently away, looking very much like a child who has been chastised, and is chastened in spirit and humble. Gentleman Bill did not see her again, but that night she came knocking at his door.

"Who's that?" he asked.

"Angel. I want to ask you a question—don't come out, I'd rather speak just here with the door between us."

"Well, what is it?"

"After what I told you this mornin' you despise me, don't you?"

"No, I don't, Angel."

"Real honest?"

"Real honest!"

"You don't think no worse of me?"

"No, Angel; I'm very fond of you."

"Good night, pard!"

"Good night, Angel!"

She crept away from the door, and for the first time in her life cried herself to sleep.

The inevitable had happened; Angel was in love. Alas for Angel! Alas for love! Such a passion could end in nothing but unhappiness, perhaps in tragedy. The passion of a girl who had been brought up from childhood by a drunken reprobate amidst thieves and cut-throats; a girl who drank whisky, rode, shot, and swore like a miner; the passion of such a girl for a man of Gentleman Bill's calibre, a man who at one time had lived amidst the élite of New York and London, such a passion, we say, was hopeless and tragic from the very first.

But Bill Clayton was no longer a gentleman; he saw his influence over the girl, and likewise saw no reason for not amusing himself with her. He pitied her condition, pitied her with all his heart, but with that pity which, instead of being akin to, is remote from love. She was a beautiful, half-savage girl, a thing of the woods and the rivers, an elemental creature of nature's, the like of whom he had never before seen. The novelty attracted him; it would be a curious experience to see how such a spirit prospered in the thraldom of love and desire. He determined to satisfy his curiosity and make the experiment. Let it be admitted that he was fond of Angel, and would not have knowingly worked her harm, but his fondness consisted of a half-lazy,

Clayton arrives at "Crow's Gulch."

good-humoured affection, and he never dreamt that a girl who got drunk and blasphemed in O'Reilly's bar had a heart to break or a soul to shatter.

His attentions to Angel became more pronounced daily, whilst the inhabitants of Crow's Gulch noticed a marked alteration in the conduct and demeanour of the girl herself. It was whispered about that Angel was not her old self; she did not drink so much, seldom swore, and no longer found amusement in the lewd jocularities of Daisy Dan. Poor Angel! she was trying to be a lady! Endeavouring to act up to an imaginative standard of female decorum, which she judged would find favour in Gentleman Bill's eyes.

Clayton at last made a declaration.

"Angel," he said to her one evening, suddenly taking her hand, "do you know I'm getting very fond of you?"

She did not withdraw her hand.

"What do you mean, pard? Talk straight."

"Little one, come here."

Docile as a child, she crept up to him.

"Could you love me, Angel?"

"Oh, what are you saying?"

"Could you?"

"God's truth, I do love you!" she said, looking straight into his eyes.

He took her in his arms and kissed her full upon the lips.

"Angel, don't you know I love you?"

"You aren't playin', are you?"

"No; I'm in earnest."

"Real honest?"

"Real honest."

"Mind you, I'd just shoot slick through myself if you were to. But you wouldn't, would yer?—real cruel and wicked it would be!"

For answer he kissed her again. She threw herself passionately upon his breast, and burst into a wild fit of passionate weeping.

"Love me; that's right—love me!" she cried; "I want yer to, pard. I'll be good, if you do—real honest good. God help me if I ever go near O'Reilly's again!"

And so the comedy ended, and the tragedy began. Wild, savage, and untamed as she was by nature and habit, Angel loved with a passionate frenzy that transcends description. She would have willingly killed herself to do her lover good, and as willingly have killed him had he played her false. Hers was no half-hearted, neutral-tinted affection, thriving in the docorous circles of polite society. Her blood surged with passion; prudence, wisdom, and every other thought were swept aside before the all-mastering love that possessed her body and soul, and held her in blissful bondage, close-bound in thongs of fire.

Once, looking through an old box of Clayton's, she came upon a faded portrait of a young lady, dressed in a fashionable evening gown.

She took it straight to her lover.

"See this?" said she.

"Yes; what of it, Angel?"

"Who's she?"

"A girl I knew down New York."

"Loved her, did you?"

"Not I!" answered Clayton, judging it wise to lie.

"Why is this here, then?"

"She was a friend."

"Mighty high sniffing, she looks!"

"Put it away!"

Angel relinquished the portrait.

"Do you know what I'd have done had you loved her?" she said presently, nestling into his arms.

"I guess you'd have been angry."

"Angry! That don't size it. I'd have killed you or me, real honest!"

Gentleman Bill put the portrait away, not without a sigh over the days that had been.

Angel soon forgot her jealousy, and became as loving as before, perhaps a little too loving, for Clayton was already tiring somewhat of the wild girl's passionate caresses. He was careful to hide this from her, for he would not willingly pain her heart; but the times grew more and more frequent when in silence and solitude his own heart longed for the glories of the past—New York, the quiet joys of sophisticated mankind, the society of ladies other than little Angel, and, perhaps, for the lady in the portrait! Once Angel caught him in one of those moods. He ascribed it to not feeling well.

"That's not it," she said; "it's the old days I guess you're fretting over—before you met me."

"Nonsense!"

"No, it's honest truth. I know you do think of what's past. Were they very different from me?"

"They! Who?"

"They—the New York ladies?"

"Yes, they were different, Angel, but——"

"What?"

"I love you, and didn't love them."

This quieted the girl, who felt content with the world when she was sure of Clayton's love. It filled her life, and without it existence would have been unbearable. At last the climax came—the inevitable climax, that was to end for ever the brief period of Angel's joy.

One dav a letter was brought to Gentleman Bill bearing the New York postmark on it. Angel eyed it curiously as she handed it to her lover.

SHE CAUGHT HIM BY THE THROAT.

He turned very white on seeing the postmark, and retired to his room. He read the letter through with dancing eyes. The words swam before him. His brain reeled, and for a moment he thought he was dreaming.

"Thank God! thank God!" he at last exclaimed, "deliverance at last—deliverance from this dreadful bondage! 'If you think of returning,' they say. Returning! Heavens, I guess I'll be out of this rat-hole before a week!"

As he spoke thus, pacing up and down his room, the thought of Angel brought him to a full stop. What was to be done with Angel? He could not take her with him, that was certain. He could not marry such a girl, or even now support her as his mistress. He saw his way clear after some thought. It was cruel, but it was a case of necessity. He would write to New York, tell the lawyers and his friends to expect him, say not a word to Angel, leave his luggage (slight, and not valuable), and one morning go out as usual and never return. Of course she would cry at first, and be miserable, but she would get over it in time; besides, when he was home he would send her some money, and that would put everything right.

He sat down and wrote a couple of letters, gave them to old Anderson, who was for some reason sober, and then, feeling tired, went to bed.

He had forgotten to kiss Angel good night; indeed, for the present, he had forgotten her very existence. The girl was in tears when she heard that her lover had retired for the night without the usual kiss.

"Is he queer, father?" she asked.

"Well and happy, Angel; brighter than I've ever seen him look. Had good news from New York, I think. 'Spect he will be off there soon. Here, see to those there letters of his."

He threw the two letters to the girl; she took them, and hurried out of the shanty. She ran to a neighbouring hut, and sitting down underneath the lighted window, without a moment's hesitation tore open the letters and began to read them.

"He's mine," she argued, "and what's his is mine, too."

The first letter was addressed to a lawyer. In it Clayton said he was sorry to hear of his uncle's death, but was delighted at the fortune left to him. He would be in New York shortly, and would be glad if rooms were got for him. The second letter was addressed to a Miss Amelia Allen, and was couched in terms of love. Here is an extract:

"I have been away from you, darling, now for a year. How I long to see you again. I knew coming out here and roughing it would please old uncle, and you see he's left me everything. This place is a desolate hole. The men are brutes, and the women——but these I will spare. At last, darling, we can be together."

Angel sat on the grass under the window and read the letter through three times. Suddenly she cast it from her, and with a great cry that rose from her stricken heart, buried her burning face between her hands. She sat thus for fully half an hour, sobbing like a wild thing distraught, and then, with a sudden scream she sprang to her feet and rushed breathlessly back to her father's shanty. She threw open the door, seized a light, and with a dozen steps was in Clayton's room.

He was lying in bed half asleep when the door flew open, and with a howl hardly human in its wild fury, Angel dashed in upon him. He started up with a cry of amazement.

"You go to New York, I see," she cried.

"Yes," he answered, very quietly, seeing what had happened, "I go to New York."

"By heavens, we'll see!" she answered.

With a spring she leapt on to the bed and caught him by the throat; he struggled with all his strength, but her grip was as strong as iron. With her left hand she plucked a jack-knife from her belt, and bending very low so that her lips almost touched his, plunged the keen blade deep into his heart. The man's body gave one quiver, and then lay still and silent in death, whilst the blood trickled from his breast on to the sheets.

Then Angel laughed, the laugh of madness and despair, such a laugh as must sound and echo through the halls of hell. She ran from the room, from the shanty, from the village, far away out into the woodland and the night.

Three days afterwards a party of men dragged her body out of the river.

"She and Gentleman Bill had something between, I reckon," said Daisy Dan.

"Must ha' done," agreed O'Reilly.

"Then bury 'em side by side. It seems more fit like."

And so they laid them to rest in the same grave, under the same grass, and the same rough, wooden cross.

This tragedy, which took place in the month of June, 1853, convulsed all America at the time with interest and curiosity. So much so that old Anderson and O'Reilly made quite comfortable competences from relating the incidents of this tragic history to visitors with a sentimental taste.

The Surgeon Carried Out the Law's Sentence.

In the year 1740, a notorious criminal, named Kaltwasser, was hanged in Germany for murder, and after he had hung for fifteen minutes his body was given to the chief hospital of the city for dissection. The corpse was taken to the dissecting-room, where the surgeons were awaiting its arrival, and on its being touched with the knife, it exhibited some signs of life, whereupon the chief surgeon called the attention of his colleagues to the fact, and said that no doubt it was in their power to bring the man back to life, but that if they did so he might again resume his criminal life, and perhaps commit worse crimes than those for which he had that day been hanged. The other surgeons agreed that it would be unwise to restore the man to life, and accordingly the chief surgeon plunged his knife into the man's heart, and thus carried out the sentence of the law.

FLOGGING IN THE ARMY.

How our Fathers ruled Tommy Atkins.

"Many once proud-quivered loins did melt
In Blood from stinging whip."
—KEATS, "Isabella."

GILBERT and Sullivan's "H.M.S. Pinafore" came out in the year 1878, and informed people that "the cat in the Army's abolished." The poet was a little bit "previous," for one of the most famous flogging parades on record took place on the morning of the battle of Ulundi, in 1879. Evelyn Wood's division it was whose camp had been disturbed night after night by sentries who fired off their Martini-Henrys at nothing at all, so, "pour encourager les autres," as Voltaire said was the reason of the shooting of Admiral Byng, some of the nervous men were given twenty-five lashes. Those in the other divisions hardly heard a word about it.

The dramatist was so far right that it had been enacted by the Mutiny Act of 1868 and confirmed by the Articles of War that no court-martial should, for any offence whatever, during the time of peace within the Queen's dominions have power to sentence any soldier to corporal punishment; but it was also provided that any court-martial might sentence any soldier to corporal punishment while on active service in the field, or on board any ship not in commission, for mutiny, insubordination, desertion, drunkenness on duty or on the line of march, disgraceful conduct, or any breach of the Articles of War, but no sentence of corporal punishment should exceed fifty lashes. Regimental or detachment courts-martial could not add any other punishment to a sentence of corporal punishment, but general, district or garrison courts-martial could award imprisonment in addition. The confirming authority might, in his mercy, commute the flogging to imprisonment with hard labour, not exceeding forty-two days. As regards the efficiency of flogging as a deterrent, Mr. Plowden, whose memoirs appeared in some evening papers in London and Manchester, has a very high opinion. It is certain that as soon as the peace was patched up with the Boers in 1881 some of our soldiers behaved very badly indeed, knowing that they were no longer liable to a flogging. Indeed, it was almost the fashion for the sentries to broach the rum-casks.

There is no longer any flogging at all of white men. For all that, the editors of "Simmons on the Practice of Courts-Martial" thought it as well to leave a record of the orthodox method of flogging. The cat-o'-nine-tails consists of a drum stick or handle of wood of the like length, having fixed to it nine ends of common whip-cord; a larger description of cord, or the substitution of a rope, could not be justified; each end is about sixteen inches long, and knotted with three knots, one being near the end. The drum-major sees that the ends are not entangled during the infliction, so as to produce a more serious blow than was intended, but that they are disengaged from time to time, and, if necessary, washed in water. A previous preparation of cats, by steeping them in brine and washing them in salt and water during the punishment, has been made the subject of a charge against a commanding officer; and, although the officer referred to (Lieutenant-colonel Bayly, 98th Regiment) "was acquitted of all knowledge of, or participation in, the cruel and unprecedented practices of steeping the cats in brine and of washing them with salt and water during the infliction of the punishments," yet his Majesty was pleased to command that the "admonition to which he had been sentenced by the court should be communicated to that officer, accompanied by the expression of his Majesty's regret and displeasure that punishments deemed necessary in their nature to the maintenance of discipline, and legally authorised, should have been inflicted in any corps in so cruel and unprecedented a manner as the evidence on the face of the 'Proceedings' clearly shows to have been the

case in this instance, and that so unquestionable a proof should have been afforded of neglect of duty on the part of an officer in command of any regiment or detachment of his Majesty's troops, as is too clearly chargeable upon Lieutenant-colonel Bayly, and is justly so held by the court, when an occurrence so prejudicial to military discipline, and tending so manifestly to bring the Army into disrepute, could have been preconcerted without his knowledge, and afterwards taken place without his notice, in the depôt under his immediate command." (How easy it is for things to take place without a colonel's knowledge we have read in the recent "ragging" cases.) The commanding officer is in all cases responsible that the punishment is inflicted according to the custom of the service. King William IV. declared upon the occasion of the irregularity above referred to, that "whatever may be the opinion or sentence of a court-martial, his Majesty will continue to require that officers should be held responsible for what passes in regiments under their command." The order making known his Majesty's sentiments on the subject also contains the following passage: "It matters not whether such irregularities proceed from design, inattention, or ignorance on the part of the commanding officer. Whatever may be the cause, it is equally clear that the officer who may either authorise or allow such acts, or during whose command such acts may take place, is in no way fit to be entrusted with the charge of a body of troops; and it is, therefore, the imperative duty of the General Commanding-in-Chief, whenever such a case is brought forward, to make a special report of it for the serious consideration of his Majesty." We did not know that King William IV. had all that in him!

Although many years ago right and left-handed drummers were sometimes employed indifferently, yet it is obvious that this must have occasioned a vast increase in the degree of pain beyond that produced by punishing with right-handed drummers alone. It would, therefore, not be acting up to the letter of a sentence, which prescribes corporal punishment in the usual manner, to adopt a mode of infliction which greatly enhances the suffering, and which was at no time uniformly and invariably practised. The practice of completing the punishment at a time subsequent to the first infliction, if the culprit was unequal to bear the whole at once (in the opinion of the medical officer in attendance), had been for many years discontinued, but was first forbidden by the regulations in 1837. (If the drummers were not laying it on hot enough, the doctor would say, "Men, do your duty!" Doctors were not combatant officers, but they had to give that order, and combatant soldiers had to obey it.)

The "usual manner" of inflicting corporal punishment is as follows: The brigade, garrison, regiment or detachment, being under arms, is formed in some retired place or fort or riding-school to receive the prisoner, who is brought by an escort to the centre; the commanding officer, the brigade-major, the town-major, or adjutant, as the case may be, reads aloud the charge, sometimes the proceedings, but invariably the sentence of the court and its confirmation, the prisoner being uncovered and advanced a pace or two in front of the escort. The culprit is then directed to strip to the waist, and is tied to a "triangle," or three legs or poles, connected by a bolt at the top, and separated about four feet at the bottom; to two of its legs a bar is affixed, his ankles being tied or buckled to the legs. He receives on his bare shoulders twenty-five lashes from drummers of infantry, or the trumpeters and shoeing-smiths of cavalry, in succession, till the punishment, in no case exceeding fifty lashes, is completed, or interrupted by order of the commanding officer. The drum-major or trumpet-major counts each lash, or, rather, directs it, the lash not being inflicted till it is numbered. Between each two lashes there is a pause equal to three paces of slow time, which is marked by the time it takes to circle the cat round the head, or formerly, in some cases, by taps of the drum. A commanding officer is not justified in prolonging the infliction beyond the usual time, and charges have been grounded upon the non-observance of such caution. No flogging could take place except in the presence of a doctor, and any comment he had to make he would make to the senior officer present.

There was once a flogging parade on a Sunday in the 11th Hussars. Lord Hill declared that such a thing was unusual, and should only happen under the most stringent necessity, "such as there is no need for me to specify." If a man under sentence to be flogged escaped from custody and was recaptured, he was given his flogging before he was tried for escaping from custody, lest an ultra milk-and-water court might give him simple imprisonment for his accumulation of offences, and so encourage crime.

Heaps of anecdotes about flogging come to one's mind. How Governor Wall was hanged because a man died when being flogged with a rope by his orders; naval floggings; Indian floggings. Russian and Chinese punishments we leave for those with stronger stomachs than we have.

What Mr. Secretary Childers substituted for flogging on active service is declared by those who have been tied up to the gun wheel, "to get cramps all over," to be twice as bad as to be tied up to the gun wheel for the purpose of getting twenty-five. Captain Marryat observed that a naval flogging was ten times worse than a military flogging, because the boatswains' mates, who officiated, were about the strongest men in the Royal Navy.

As recently as during the Crimean War a naval deserter was sentenced to a hundred lashes, wherever and whenever the commodore should choose. He took his flogging at Malta. When he had received "five dozen" he was given a drink of water, and was asked whether he would prefer the remaining "three dozen and four" then or at some future time. He preferred to go on with his punishment. Up till then he had hardly winced, but now two brothers appear on the scene, one right-handed and the other left-handed. They were boatswains' mates of different ships. They cut his back into diamonds. He did not deserve much mercy, for not only had he deserted, but he had taken £18 for his voyage home in a merchant ship from the Crimea and back to the East again. He fell into the hands of the gunner of his own ship and began cheeking him. On being told to keep quiet, he threw the gunner down a hatchway. Had he kept quiet the gunner would never have molested him. There is an old retired warrant-officer living in Camberwell whose story that is. It is not fair to steal it, but it exemplifies the difference between naval and military methods. In the Army there was no more than fifty lashes since the eighteenth century—at home, that is to say. In India they did as they liked. In the Army there was no flogging by instalments, and so, even had a man been sentenced to "eight dozen and four," as soon as they stopped to discuss matters after "five dozen" they could not begin again

---

Branding.

In 1811 the law gave authority for marking a deserter with the letter "D." The Mutiny Act of 1807 had sanctioned the marking of a man guilty of a second offence, but not a man guilty of the first offence, of desertion. The Mutiny Act of 1862 authorised the marking with "B.C.," *i.e.*, "Bad Character," on an offender discharged with ignominy. Such punishments, however, were abolished in 1871.

To Prove His Gratitude.

In the year 1833 Daniel O'Connell was engaged to defend Terence Byrne, who was about to be tried at the Munster Assizes for horse-stealing.

So well did O'Connell plead that the accused was acquitted, and was so elated on being liberated that he called out in court to his advocate, "Och! Counsellor, I've no way here to thank your honour. I only wish I saw you knocked down in me own parish; wouldn't I bring some bhoys to the rescue!"

Cockle Sauce.

Sergeant Cockle was a rough, bullying counsel, but on one occasion he got considerably more than he gave. He was engaged in a trial of a right of fishery, and he asked one of the witnesses, "Dost thou love fish?"

"Ay," answered the witness, with a smile, "but I dinna like cockle sauce with it."

The laughter which greeted the retort rather disconcerted the learned Cockle.

On Excellent Ground.

A corn-merchant brought an action against a customer who had purchased a large quantity of oats, which were alleged by the defendant to have been refused as not according to sample.

"Did you see the defendant return the oats?" asked the judge.

"Yes, your honour, I did," said the plaintiff.

"On what ground did he refuse to accept them?"

"In the back yard, your honour."

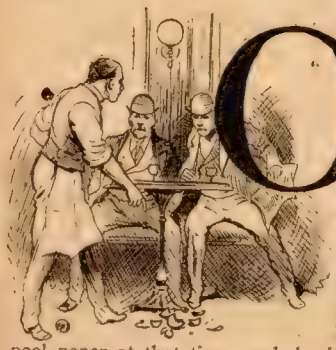
(Loud laughter, in which the judge joined.)

THE MURDER OF CHARLES LANGAN BY WILLIAM BAKER.

THE LONDON ROAD MURDER

"What a slave art thou, to hack thy sword as thou hast done, and then say it was in fight!"
—SHAKESPEARE, "Henry IV." Part I., Sc. 4.

PART I.



ONE hot day in the early part of July, 1875, I was walking slowly down Church Street, Liverpool, past what is now the Compton Hotel, when I ran across my old chum, Will Bolton, then known throughout the photographic world as the pioneer of the dry-plate process. I was engaged on the staff of a Liverpool paper at that time, and, having an hour to spare, I asked Bolton to come and have a drink. He was full of an interesting and important discovery he had just made in the photographic line, and, knowing that I was an enthusiast in the matter, was most anxious to explain his new discovery to me.

"Let's go somewhere where it's quiet, old pal," said he, and I suggested a pub. known as the Rainbow, which is situated at the corner of Basnett Street, and looks into Williamson Square, the Star Music Hall being next door, but divided from it by Houghton Street, out of which, by the way, ran the narrow crescent-shaped back street known as "The Lane," where "s.p." bookmakers plied their vocation in those days without let or hindrance.

Well, we turned back along Church Street, went along Basnett Street, and entered the Rainbow. As I surmised, the saloon bar and smoke-room did not contain a single occupant, the house being practically deserted during the day, but doing a roaring trade at night.

Seating ourselves, we rang the bell and called for our refreshments, and then Bolton began to explain his discovery. As he reached over to the mantelpiece for a newspaper with which the better to illustrate some point in the story, he accidentally knocked the water-bottle off the table, and it went to the floor with a crash. In rushed the manager, and at once demanded 7s. 6d. for the broken carafe. Of course, I said this was an exorbitant demand for a bottle of the description or quality of the one broken, and refused to pay any such sum. A torrent of blasphemy from the manager cut short my conversation, and he went out, apparently in a violent temper, shutting and locking the door after him. He returned in a few minutes, placed a new water-bottle on the table, and handed us a bill for 7s. 6d. I again remonstrated with him, and suggested that my friend should go out and see what one would cost. Bolton said, "Yes, I'll go, Harold. Wait here till I return." He got up, and had taken but a couple of steps towards the door when in walked three of the most villainous-looking scoundrels it has ever been my lot to see. As Bolton got near to them one stepped forward and aimed a terrific blow at my chum's head. He, however, saw it coming, and ducked quickly, but the bony knuckles grazed the temple, broke the skin, and the blood flowed freely down his face.

"Come back here, Will," said I, and he came and sat down again.

"Now," I said, to the manager and his cut-throat confederates, "what are you going to do about this? I'm certainly not going to pay you 7s. 6d. for a thing that is not worth more than half a dollar. I'll give you three shillings,

TOOK DELIBERATE AIM AT LANGAN'S HEAD AND FIRED.

which will pay for the bottle we have accidentally broken, and, if you won't accept that, you won't get anything."

"Won't I, by ——!" yelled he. "Then you don't go out of this blanketty-blank place till you do pay it!"

"Open that door!" said I.

"Not a —— open!" shouted he.

"Then take the consequences!" And seizing the water-bottle for which he was demanding 7s. 6d., I hurled it

"Steps are my abomination!"

through the big plate-glass window into Basnett Street. I heard several slight screams, and in less than a minute a sergeant and two policemen entered, whilst Basnett Street, Houghton Street, and Williamson Square were packed with people staring at the shattered window and inquiring what had happened. I explained matters to the officers, and said I had done what I did for the purpose of attracting the attention of the police, the manager having refused to let me out without payment of 7s. 6d., and, as my friend had already been assaulted, I feared a further attack on both of us. The sergeant at once said, "Walk out, gents!" and Bolton and I walked away, leaving the police and the publican to palaver about the penetrated pane.

One week after this occurrence I opened my morning paper and found that William Baker had shot Charles Langan dead in London Road early that morning. Baker was the manager of the public-house in which Bolton and I had sat the previous week, and the man who had demanded 7s. 6d for a broken water-bottle.

The position in society which Baker occupied and his family connections rendered his case all the more painful. His character was never of the best, and he was always of a wild, dissolute and roving disposition, until a few years before the time I am speaking of—1875—when he appeared to have settled down into the status of a respectable publican at the Rainbow, before mentioned.

Before he was placed in this house by his father he appears to have been in trouble on more than one occasion, and although he was never convicted of felony, he was several times charged with it. After his marriage to the daughter of a respectable licensed victualler he gave great hopes to his friends that he had entirely reformed. He had not, however, altogether thrown off old associations, and in some of his old haunts was as well known as ever he had been, whilst the company he kept was not always of the best character; and it was probably to late hours, bad company, and unrestrained evil passions that what will be remembered in Liverpool as the London Road tragedy owed its origin.

The murder was committed early on the morning of the 10th July, 1875, and on the previous evening Baker, with three other men, was drinking in a public-house at the corner of Hopwood Street and Scotland Road, Liverpool. They left this house at closing time, Baker being, it was said, quite sober. All four appeared to have been what is vulgarly called "out on the loose"; at all events, they did not hurry home, as they made several calls after eleven o'clock that night at various houses, where they had spruce or ginger-beer.

At this time the unfortunate victim, Langan, was not with the party. The next place where they turned up was at the Blacking Shop, in Back Bridport Street, a place for the illicit sale of liquor, whose existence must have been known to the police for years, but who, nevertheless, in those days, allowed the unlicensed traffic to go on under their very eyes, night after night and week after week, without interfering.

Baker and his friends knocked at the door of this place, but were denied admission, but whether it was because the man Langan and some other men were inside at the time did not transpire As a matter of fact, however, Langan was in the Blacking Shop and a few minutes after Baker's party had been refused admission he and his companions were let out. This would be about half-past twelve o'clock on the morning of the 10th. Langan and his friends went into St. Vincent Street, and there they saw Baker and his companions standing at the corner of a public-house called the Swan Inn.

Between Langan and Baker there had been a bitter feud of long standing, and Baker, when he saw Langan, was most likely reminded of the quarrel between them.

Langan and his friends proceeded over the crossing leading to the other side of St. Vincent Street, when Baker called out to him, saying:

"Charley, I want to speak to you."

Langan, who was not sober, returned, and he and Baker met about the middle of the street, Baker's companions joining them. The whole party then walked towards Seymour Street, Langan and Baker meanwhile having some words, the latter alleging that the former would not let him

walk along the streets in peace. After more recrimination, there was some pushing; then Baker drew a revolver from his pocket, took deliberate aim at Langan's head, and fired, and then returned the pistol to his pocket.

Immediately the shot was fired Langan fell, death being almost instantaneous. When the police came up a man named Taylor pointed out Baker as the one who had fired the pistol, but he denied that he was the man. He also

declared that he had no firearms on him; but when he was searched a five-chambered revolver was found in his right-hand trousers pocket, one of the chambers of which had been recently discharged. This denial of having firearms in his possession probably weighed as much as anything else with the jury in arriving at a conclusion.

The trial of Baker took place on Thursday, August 6, 1875, before Mr. Justice Archibald.

On the night before I was in the Bee Hotel, St. John's Lane, with several other journalists, the Bee being the rendezvous of all the Liverpool litterateurs, when in walked Dr. Joe Pope, better known in literary circles as "Jope." Everybody in London knew "Jope," of the "Pink 'Un," and he was credited with the authorship of every spicy tale, every racy anecdote or witty saying that went the rounds of Fleet Street.

He was the brother of Mr. Samuel Pope, Q.C., who was retained for the defence of Baker, and was even bigger than his celebrated legal brother. Standing but a little over five feet, he scaled nearly thirty stone, and was at the time giving his lecture at the Concert Hall, Lord Nelson Street, entitled "Number One, and How to Take Care of Him." We had been friends for years, and he was as delighted to see me as I was to see him.

Of course he had heard a few words here and there about the town of the big murder case about to be tried, and he got all particulars of it from me. I told him that his brother had been briefed for the defence, and he said he would like to hear Baker tried and to see Sam "in action," as he termed it.

"But," he said, "from what I can see, there's very little chance of my getting into the court, though Sam could do it, if he chose; but we're not very friendly, as you know."

"Well," said I, "if you would like to go I can manage that for you easily enough, and I will guarantee you a seat in the judge's special gallery."

It happened that I had already arranged for my pal, Bolton, to accompany me to the trial on the following day, but only an hour before I met "Jope" he had been in the Bee, and had told me that it would be impossible for him to come. He was at that time employed on the "British Journal of Photography," then, as it is now, the leading photographic paper, and which in those days was printed in Liverpool. Bolton had just received orders to proceed to London on some business connected with his paper, and was likely to be away three or four days; so as soon as "Jope" expressed a wish to hear Baker tried I at once offered him Bolton's seat. I arranged with him to meet me at the Bee on the following morning at 9.45, as the judge took his seat at 10 o'clock. Accordingly, the next day, he was at the appointed meeting-place, and we had one drink and then proceeded to the hall, about a hundred yards away.

The neighbourhood of St. George's Hall presented an animated appearance. Crowds of people assembled on the open space in front thereof, on the steps and about the doors, everybody hoping to gain admission to the court. A strong body of police, however, kept the doors, and only those who had business in the court, or who had provided themselves with a pass from the sheriff, were admitted to the galleries and other select places. The body of the court was filled with the general public, but hundreds were unable to gain admission, and waited about the precincts of the huge edifice eagerly discussing the chances for and against the prisoner. In "the Lane," already referred to, and where Baker was particularly well known, the betting fraternity "made a book" on the result of the trial, and a good deal of money was wagered on the outcome. "Jope" stopped at the bottom of the steps leading from St. John's Lane up to the level of Lime Street, and exclaimed: "I'm all right when I'm walking on the level, but steps are my abomination." "Well," said I, "there aren't very many of them"; and with that we commenced the ascent. There were two short flights of stone steps which we had to mount, and on reaching the top of the first, he said: "This is—pouf!—hot work—pouf! I don't want—pouf!—much more of this—pouf!—I can tell you—pouf!" "Come on," said I. "You'll have a good rest when you get inside." So on we went, "Jope" gasping and jibbing fearfully at the second instalment of steps which had to be negotiated before we reached the door of the large concert-room, at the south end of which was the Crown Court. We eventually got inside St. George's Hall, and I led the way along the wide corridors to the entrance of the gallery.

On arriving there, I handed my card to the officer in charge, who nodded, opened the door, and motioned us forward. As soon as "Jope" saw the steps, he said: "Look here, I'm not going up. I can't mount any more stairs. I'm beat now; and, besides, when I get up I don't think there will be a chair that'll hold me. And then how am I to get anything to eat up there? I can't sit all day without food." "I'll see that you get something. In fact, I'll promise you that I'll bring you a luncheon in when the court adjourns"; and with that my fat friend struggled painfully up the stairs.

At a minute or two before ten o'clock we heard the trumpeters announce on their instruments the arrival of the judges, and in a few minutes the door at the back of the judge's chair opened, and, clad in his scarlet robes, Justice Archibald entered, the court rising as he did so, "Jope" being the only exception. Baker was then called to the bar, and pleaded in a jerky way, as if the whole affair was of but minor importance, "Not guilty." He was defended by Mr. Samuel Pope, Q.C., Mr. W. C. Gully (the present Speaker of the House of Commons), and Mr. Addison; whilst Mr. McConnell and Mr. George Segar prosecuted.

My work consisted of making a sketch of the prisoner, and, having got my first rough drawing, I hurried away, ten minutes after Baker had been called to the bar, to finish my sketch for the engraver. It was the custom, in Liverpool, to have little sketches of any notability whose doings were of

local interest sold about the city at one penny each, and they were called by the itinerant street vendors "Kanives." What the word is derived from I have failed to discover, though I have searched far and wide. I finished my sketch, handed it in to the office, and hurried back to the court. "Jope" informed me that there had merely been evidence of animosity between deceased and prisoner, the doings of Baker on the night of the murder, and other such minor matters, and soon after the court adjourned for lunch. I, too, went out, and returned with some sandwiches and a veal and ham pie, of which I knew "Jope" was particularly fond. I also brought him a large bottle of Bass's beer.

By this time the court was deserted, only a couple of javelin-men and a policeman being visible. "Jope" ate his sandwiches and pie, and poured out his beer into a tumbler I had brought, when, just as he had said "Good luck, old boy," to me, and was about to enjoy a good drink, there was the sound of the opening of a door, a rustle of silk and papers, a heavy foot, and in stalked Mr. Samuel Pope, Q.C. He walked quickly along the bottom row of barristers' seats till he reached the place he had occupied during the morning, leaned over and extracted a small bundle of papers from beneath the desk, and then turned to leave the court.

But "Jope" didn't want him to depart without the knowledge of his ("Jope's") being there, so he called out, at the

same time holding up his beer-filled glass, "Good luck to you, Sammy, old boy!"

The big Q.C. quickly turned and glanced up at the gallery whence the voice came, and, recognising his brother, he scowled fiercely at him, turned again and rustled quickly out of court. "That's the way, Harold; that's always the way with Sam," said "Jope" to me, as he wiped the froth off his upper lip with the back of his hand. "If he sees me drinking a drop o' beer he gets the hump, because he happens to be a teetotaller himself. He hasn't spoken to me for months on account of the blessed beer; but I don't care, why should I?" and "Jope" emptied the glass, refilled it, and passed me the empty bottle.

Soon afterwards the judge returned, and the trial had just recommenced when there was a commotion at the far end of the court, where the big brass doors leading from the large concert room were, and which had been thrown open during the luncheon interval in order to ventilate the court. Unfortunately, the officers had neglected to close these doors again when the business of the court was resumed, and a body of those who were waiting outside for any scrap of information they could obtain respecting the progress of the trial, seeing the way clear, made a sudden rush up the steps and swept into the court like an avalanche. The javelin-men in vain tried to force them back, those behind pressed on those in front, and the officials were swept forward like straws before a gale. In a few seconds the court was jammed with people, whilst a struggling, eager crowd made frantic efforts to force their way into the court. The judge then stopped the case, and ordered all those who had come in or been forced in during that disgraceful rush to leave the place at once, otherwise he would have the court cleared. A body of police had been by this time collected at the doors, which had been closed, and now the intruders, were ejected in twos and threes, till only those remained who had secured their place in a legitimate fashion. "I'd rather walk up twenty flights of stairs, much as I hate 'em," said "Jope" to me, "than have had half a minute of the crushing that some of those poor beggars got."

Here "Jope" goes out of this story, but not out of my recollection. Dear, delightful old fellow! he little thought that the slender whipper-snapper who brought him his luncheon on that day, now nearly twenty-eight years ago, would develop into a big individual, taller than, if not quite so stout, as himself. When poor "Jope" was on his death-bed, he sent me by Billy Saule, as a souvenir, his Inverness overcoat, thinking that perhaps it might be of use to me some day. I have often worn it, though my wife has had to cut a big V out of it to make it something near a fit, and I've often been chaffed by my literary friends and acquaintances on account of the shape of the garment, but I stand all that, and still sometimes wear the old coat out of pure affection, respect, and regard for the memory of the one to whom it originally belonged and I will never part with the relic, but will continue to wear it, from time to time, as long as my memory bears the remembrance of the best and dearest of my friends.

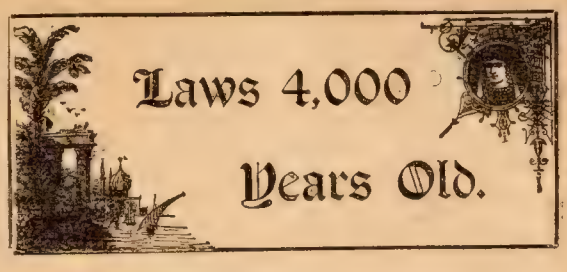
TO BE CONCLUDED.

Nobody Knew.

MR. JUSTICE MELLOR once had a little boy as a witness in a manslaughter case tried at Manchester in 1877, and he thought he would test the boy's orthodoxy by asking, first, and in a fatherly way, whether he knew where bad people went after they were dead. He was much put out by the lad's answering, "No, I don't; no more don't you. Nobody don't know that."

He Spoke Too Loud.

LORD CHIEF JUSTICE NORBURY was riding to the house of a brother-judge in Dublin, on his way to court, and on his arrival at the dwelling-house was playfully accused by his friend of being a quarter of an hour late. The Chief Justice thereupon put his hand to his fob, in order to consult his watch, but discovered that the chronometer was not in its accustomed place. He loudly said, "D——n it, I've left my watch in the pocket of the bed, and I shall have to go back for it!" He chatted for a few moments longer, and then returned to his house for the watch, and on telling the butler to bring it to him, the astonished servant told him that he had just handed it to a messenger, who, purporting to have been sent by his lordship, had told the butler that he would find it in the bed pocket, which convinced the latter that he was a bonâ-fide messenger, and he accordingly handed it to him. The judge was puzzled for a moment or two, but suddenly remembered having told where and how he had left the watch, and, as he had spoken in a loud voice, he had doubtless been overheard by some nimble street thief, who had at once turned his knowledge to account.



"But though we think the times are changed
They are not really so;
For, as a rule, man was a fool
Ten thousand years ago."
—"Messenger Boy," Gaiety Theatre.

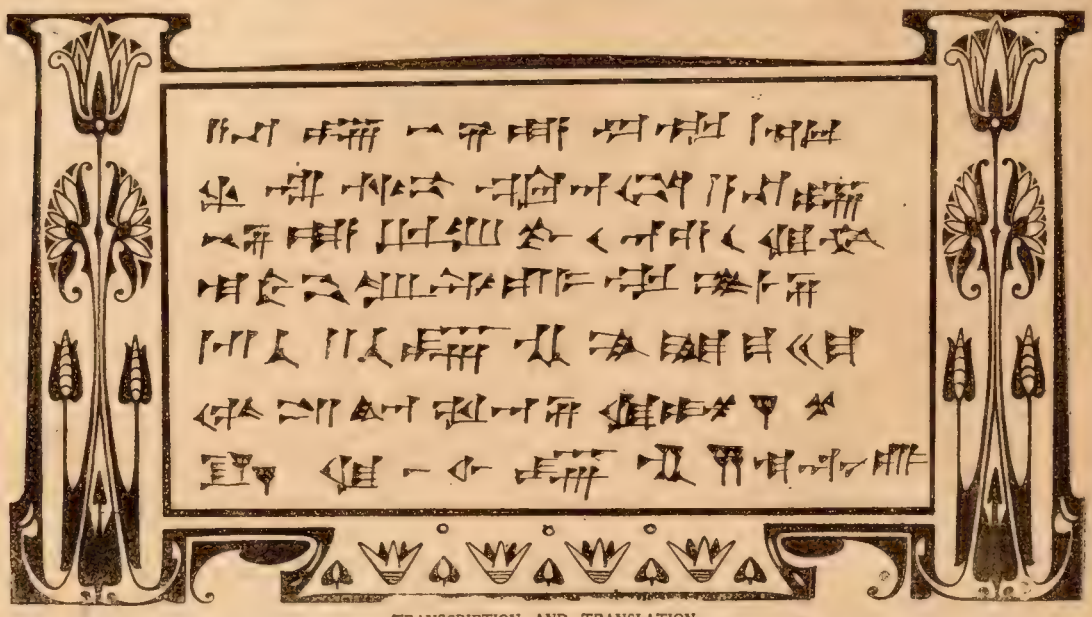
AMONG the large number of clay tablets written in the Babylonian cruciform, or wedge-writing, which have from time to time been brought to light from under the large mounds of Babylonia, and now preserved in the British Museum, are many which deal with criminal and civil offences. In order to show our readers how justice was administered in Babylonia from about B.C. 2200 to 539, we will select a few cases from these memorials as samples.

Speaking generally, we find that cases were tried by either a high or a low Court; the former, which consisted of six judges, sat at Babylon, the capital, and at this Court were tried all those cases which were too difficult or beyond the jurisdiction of the lower or provincial sessions. Torture was never resorted to as a means of obtaining evidence, and the case was judged entirely on its merits. Where persons could afford it, they might have legal assistance, in the shape of a scribe or lawyer, many of which were attached to the different Courts throughout the country. If, however, a person wished to defend his or her own case, he or she (for women were permitted to plead in person) could do so. A case in which a lady defended her own action is preserved on two clay tablets now in the British Museum. It appears from these documents that a man named Abil-Addu-Nathan, who is said to have been a native of Damascus, married a Babylonian woman named Bunanitum, from the City of Borsippa; he received with her the sum of 3½ mana of silver (a sum equal to about £13 10s.). With this money he bought an estate containing a farmhouse and several acres of ground. They had a daughter called Nubti, but as, according to the Babylonian law, a girl could not claim the property of her parents, they adopted a son. Shortly after the adoption of this boy the husband appears to have got into difficulties, and he mortgaged the estate for a large sum of money, but before the mortgage could be paid off the husband died. On hearing the news of the husband's death, the husband's brother came forward and claimed the property away from the adopted son. The wife, however, refused to part with any portion of the estate, and applied to the Court at Borsippa for the purpose of putting a stop to her brother-in-law's claims. After many days of litigation, however, we are told that the Court at Borsippa could not deal with the case, and it was therefore transferred to Babylon, in which city it was tried by a bench of six judges, and a verdict found in the woman's favour. We are moreover informed that the lady pleaded her own case, and had no use for the services of a scribe or lawyer; thus the lady Bunanitum may be called the Mrs. Weldon of the eighth century B.C.

Another case is one in which a magistrate has been accused of treason, which he denies, but makes a statement to the effect that a person named Sarduri, who, to judge from his name, was possibly an Armenian, had been guilty of uttering treasonable statements respecting the King. We will give a few words from the letter to the King, a portion of which is given in our illustration:

"Have I committed a crime against the King my Lord? When witnesses had assembled together, and I had declared my fidelity to the King before a Public Notary, a certain man, my accuser, entered the palace and placed a criminal charge against me. This man said: 'In the presence of all these people, as a prisoner of the King, my Lord, I arrest thee.' All that day I was put to lay upon my face, and the guards out of ill-will gave me no food."

The prisoner then goes on to complain of the treatment he had received, and finally asks that the King would look



TRANSCRIPTION AND TRANSLATION.

A-na sarru beli-ia arda-ka Nabu balatsu-ikhi
Nabu Marduk ana sarru beli-ia likrubu wa same irtzitim
lisalbiru palu-ka amminie estin su sane su, sarru beli-ia
amkharina man.ma-ul is hal anni kimu sei mat Akkadi.
Inu panu sarri belia la banu.

To the king my lord, thy servant Nabubalatzu-ikhi sends greeting;
May Nebo and Marduck to the king my lord be gracious and those who
are at the head of heaven and earth prolong thy life. Have I not once
or twice sent to thee and yet no one has brought me news and ram
Accad. Is the face of the king my lord turned from me?

into the case himself. From another document, which also bears upon this case, and which is in the Museum of New York, we learn that the King did inquire into the matter, and not only acquitted the accused, but actually gave him another and higher appointment than that he had hitherto held.

In cases of murder we find that instead of capital punishment, such as we have to-day, or as was the rule in Ancient Egypt, the Babylonians made the murderer pay a fine equal to the loss of the survivors. For instance, in the days of Nebonidus, about B.C. 539, if a man killed another, and the one murdered was married, the murderer had to pay to the widow a sum of money per annum equal to that which her husband would have earned. If, on the other hand, the person killed was not married, then the nearest relations of the deceased would be compensated at the same ratio.

Highway robbery was usually punished by death, especially if violence had been used; or else, as in Egypt, the stick was liberally employed, and after a sound thrashing had been administered, the culprit was allowed to go. Should a highway robber attempt to infest the same district after he had been thus punished, within six months from date of such punishment, he was either taken care of for the rest of his natural life or else flayed alive. This latter mode of punishment was especially in use in Assyria, where it was cultivated to what might be termed a fine art. In this country (Assyria), however, it was mostly reserved for political prisoners, such as those, for instance, who headed the Elamite Rebellion in the time of Assur-bani-pal, about B.C. 650, and those who were the prime movers in the celebrated South Palestine revolt, which only terminated with the overthrow of the City of Lachish (2 Kings xviii., xix.). Capital punishment appears, however, to have been almost entirely unknown, or rarely put into practice, at least as far as the later Babylonian period is concerned; for, although the celebrated code of Khammuratus refers to it, there is no evidence to prove that it was in general use. The laws laid down by Khammurdbi, who was King of Babylon about B.C. 2200, and who is usually identified with the Amraphal of Gen. xiv., are rather curious, and will doubtless be of interest to our readers as showing the close relationship between the early Babylonian and later Hebrew legislation. It was not allowed, for instance, to do any work on the seventh day of the week, and one table distinctly informs us that we are not to use medicine on the Sabbath day. The close intimacy which had always existed between the Jews and the Babylonians no doubt contributed largely towards an adoption, as it were, of the laws and customs of the older Babylonian kingdom. The Babylonian law did not permit polygamy. If, however, a man wished to take another woman as wife during his first wife's lifetime, he was bound to refund all the dowry of his first partner before he could gain a divorce or marry again.

It will thus be seen that the laws which governed the people of the Tigro-Euphrates Valley from B.C 2200-539 were to all intents and purposes the same as govern European States, modified only to suit the necessities of the period in which we live.

She Followed Suit.

BARON CARTER was once dining with his sister, at his country house in Leicestershire, in a room which overlooked the courtyard, and something so displeased him that he threw the joint of meat out of the window. His sister being equal to the occasion, immediately took up the dishes and plates, and threw them out also, whereupon the Baron angrily demanded to know what was the meaning of her action. The offended sister replied, "Oh, I thought you intended to dine out of doors, and that you would need the dishes and plates as well as the meat."

Asked For More Rope.

ON March 22, 1822, Robert Bamford was one of three convicts hanged simultaneously outside the Town Gaol in John Street, Nottingham. Instead of his mind being occupied with the thoughts of the eternal world, he was talking with the executioner about the manner in which he usually performed his office, and complaining that in his own case there was not sufficient length of rope. He was told that the hangman knew best; but his reply was that he had attended many executions, and had paid particular attention to that point. His rope was, therefore, tied rather longer than the others. After adjusting the ropes, the executioner shook hands with them, and drew the caps over their faces; they all, as by one consent, jumped from the board on which they had been standing. Their bodies were dissected and exposed to public view at the General Hospital.

"One Was Taken and the Other Left."

IN the year 1800 Lord Medwyn, the eminent Scottish judge, told Lord Cockburn that he had recently sentenced two men to death for horse-stealing, which was at that time a capital offence. One of them, a man named Elliott, was pardoned only a day or two before the date of execution, and the judge, by some accident, on that day, had been caught in a corner by the crowd in the street, so that he could not pass. Whilst detained there he noticed a man come hurriedly to stand near the place, and, with intense interest and agitation, watch the scene. His eyes were strained towards the scaffold as if they would start from their sockets, his hands were clenched in agony, his chest heaved, and he stood transfixed, the very picture of horror. It was the man Elliott, who had been reprieved only twenty-four hours before. One can imagine his thoughts at the shocking spectacle of his companion being hanged before his eyes, and his gratitude at the escape from death which he had had.

Peltzer's Plot.

How an ingenious German prepared for Murder.

"Not always actions show the man: we find
Who does a kindness is not therefore kind."
POPE, "Moral Essays."

ON December 2, 1881, M. Almeyn was sitting in his study at his beautiful house in the Rue de la Loi, Brussels, when a servant entered, and said that a gentleman wanted to see him. M. Almeyn ordered that he should be shown in, and a minute or two later a tall gentleman, wearing blue spectacles, entered.

"My name is Henry Vaughan," he commenced. "Here is my card."

M. Almeyn took the card, and asked Mr. Vaughan what he could do for him. Then Vaughan commenced business. He said that he was an Englishman, but that his mother was Spanish. He was born in Australia. He had come over to Belgium on behalf of a syndicate, of which he was a member, and which was about to found a line of transatlantic steamships. The vessels were to sail from Antwerp, and it was hoped that by combining speed with low charges, a very prosperous business could be worked up. Mr. Vaughan did not like living in Antwerp, and intended to make Brussels his own headquarters. He had been looking round the town, and had seen a house in the Rue de la Loi which he liked very much, and which he had learnt was the property of M. Almeyn. Might he look over it?

Almeyn was only too willing to permit him to do so, and insisted on showing his visitor the premises himself. The house, No. 159, was a fine building, in excellent repair, and, after inspecting it, Vaughan asked permission to have the refusal of it till the 10th of the month, in consideration of which he handed the landlord a couple of hundred francs. Almeyn was perfectly willing to oblige his prospective tenant, and promised that the house should be reserved for him till the date agreed upon.

On December 4, Mr. Vaughan called a second time on M. Almeyn, and said that as his wife and child were very ill, and he had not yet heard from them, he would be glad if the landlord would extend the time for refusal till the 20th. This the owner agreed to, and Vaughan left.

M. Almeyn did not hear of his new tenant till the 10th, when he received a letter from Hamburg, saying that Vaughan had thought over the matter, and would definitely take the premises. He would call on the 19th, about noon, to sign the necessary papers, which he begged his landlord to have prepared with all speed. The 19th arrived, but no Mr. Vaughan. However, that gentleman turned up on the 21st with an apology, and proposed that he should then complete the lease. He gave several references, but said that he thought himself that money was always the best security, so he offered six months' rent in advance, which Almeyn readily accepted. All the formalities were completed, and Vaughan became the tenant of 159, Rue de la Loi.

Then Vaughan asked Almeyn for a letter of introduction to a firm of upholsterers, who were to furnish the new premises as well as the offices in Antwerp. The landlord, who was very pleased with his good fortune in getting his money so promptly, was willing enough to do what he was asked, and handed Vaughan a letter to the firm of Guiot et Cie. In haste Vaughan set off for Guiot's place of business, and gave directions for the premises to be handsomely furnished. "However," he added, "as all this will take some little time, you had better furnish these rooms first." And he indicated certain apartments, including the back dining-room, which he said was to be his business room. He also ordered that curtains should be put up in the front of the house immediately, so as to give the place an air of being inhabited.

Guiot was pleased enough, and next day went to Antwerp on business. While there he thought that he might as well make some inquiries concerning Mr. Vaughan, and found that the gentleman was not known to any of the principal residents. That rather dismayed him, and on his return to Brussels he showed a certain amount of reluctance in supplying goods till he had money or another reference. That piqued Vaughan, who was not accustomed to have his word doubted, and he drew out a pocket-book stuffed with notes. "Here you are," he said, as he handed the upholsterer a thousand francs. "I don't suppose that your bill will come to more than fifty thousand francs. I should have given you fifteen thousand in a day or two. As it is this is all you will get till I see how you are getting on." Then he ordered a draped curtain to be put in the hall, and another similar one over the door of the back business room. He was in such a hurry for this to be done that he said he would not wait for the drapery to be properly made, but would have it tacked up to serve temporarily. Guiot agreed to this, and despatched a workman to do the necessary jobs under Vaughan's supervision.

We will now leave Mr. Vaughan getting settled in the new house, and arranging for the transatlantic steamship company, while we take a look at the family life of M. Guillaume Bernays, a prosperous barrister of Antwerp.

Mr. Bernays had been married in 1873, but, unfortunately, he and his wife did not get on at all well together. There was no actual fault on either side—he was not cruel, she had not lost her modesty; but there was continual friction between them. Under the law of the land, they could have had a divorce had they so desired, on the grounds of incompatibility of temper, but for the sake of their only child, a little lad of about eight years of age, they agreed to occupy the same house, but only to see one another when absolutely obliged to, as at meals. Beyond mere formalities, there was no intercourse between the husband and wife. This sort of double family had gone on ever since the birth of the child, and both parties seemed perfectly reconciled to it.

Bernays consoled himself for the loss of his wife's love by carrying on a mild flirtation with a pretty servant maid: on her part, Madame Bernays fell in love with a civil engineer named Armand Peltzer.

The manner of madame's meeting with Peltzer was interesting.

Armand was one of a large family, all of whom showed great commercial ability. He was of German extraction, but had been brought up in Belgium. At an early age he made quite a reputation for himself out in Buenos Ayres, and was making a fortune, when news reached him that his two brothers, who had started in business in Antwerp, had failed. Alarmed for the honour of the family, Armand hurried home, and was just in time to have the petition annulled, but to do so he had to sacrifice all his fortune, and contract engagements which would cripple him financially for many years to come.

M. Bernays was one of the counsel acting for the brothers Peltzer, and he was so struck with the generosity of Armand that he rapidly made a friend of him. Thus Peltzer and Madame Bernays met. At first admiration filled the lady's breast, but rapidly it gave way to love, and it is to be feared that Armand also fell a victim to the darts of the little god. Meetings were constant, and the children of the two—Armand was a widower, with one little daughter—were frequently playing together. It must be emphasised that all this love was purely Platonic.

Things went on like this till the end of September, 1881, when several anonymous letters, and the gossip of servants, roused M. Bernays' jealousy, and one fine day he openly taxed his wife and Peltzer with living in adultery, and, on both parties denying the soft impeachment, he forbade Peltzer to enter his house again. At the same time, M. Bernays forgot that Plato had given way to Eros as the guiding power in his dalliance with the servant maid, and that his wife was not entirely without her suspicions.

Madame Bernays was furious at the imputations cast on her, and talked the matter over with her friends, who advised her to seek a divorce from her husband, a false accusation of the kind in question being ample justification for divorce in Belgium. However, she was too fond of her child to consent to be permanently separated from her husband. At the same time, she was very friendly with Peltzer whenever

she met him, which was frequently, for Armand was a friend of the lady's father.

This was the position of affairs in the ménage Bernays on January 7, 1882, when M. Bernays left the house, telling the servant that he was going up to Brussels to see a client and would return for dinner. Evening came, but no Guillaume Bernays. Dinner was kept waiting, the soup spoilt, and at last madame ate her half-cold meal by herself. Suspicions of the pretty servant crossed her mind as she retired to rest, knowing that her husband had not returned. Next morning there was no sign of the barrister, and when he had been absent for a couple of days Madame Bernays thought that it was about time that some regular search should be instituted for the missing man. At once she went to see her father-in-law, to whom she had telegraphed on several occasions without getting any reply. M. Bernays, senior, was a strict Jew; Madame was a Catholic, and her lost husband had also embraced the Christian religion. Accordingly, she was not very surprised when the door of the old Hebrew's house was banged in her face.

Seeing that she could get no help from her husband's relations, Madame Bernays remembered that her husband had talked of going into a monastery on several occasions, and she was rather inclined to think that he had carried out his intention, desiring to avoid the unpleasantness which his unjust suspicions had caused at home. So she telegraphed to the various priests whom her husband knew; but one and all denied having seen or heard of M. Bernays for some little time. Still, she could not believe that any harm had come to the easy-going barrister, and beyond informing the police, was not very active in her search for him.

The papers soon got wind of the disappearance of the well-known lawyer, and articles were written about him, and surmises made, much as were done in the case of the late missing lady doctor; but no one was sufficiently cowardly to accuse the Catholics or the Jews of having made away with him. For ten days nothing was heard of the lost man, and then some light was thrown on the case by the receipt by the postal authorities of a letter addressed to "The Coroner, Brussels." Now, in Belgium there is no such officer as a coroner, so the post office people opened the missive, and found that it was from a Mr. Henry Vaughan, who had written from Antwerp. He said that he had seen in the papers the search for M. Bernays, and was astonished, for he had himself written two letters to the "Brussels' Coroner," telling him all about the missing man. The first of these letters he had left on his table in his house, 159, Rue de la Loi, and the second seemed to have been lost in the post. Accordingly he was writing again to tell the official all about the accident. The letter continued as follows:

> "M. Bernays came to see me by appointment. While we were talking business he caught sight of a pistol, and on my showing it to him, and as I was fidgeting with the trigger, to put it right again, while his back was turned, the weapon suddenly went off. M. Bernays dropped to the ground, and I thought he was only wounded; but when I came back with a basin of water and some ammonia, the blood was flowing from his nose, and I found out, alas! that he was dead—killed by my hand. My first impulse was to send immediately for the Coroner, but in my despair I reflected upon my friendless position in Brussels. I thought of my wife and child, both very ill, who were expecting my return to them at every moment, and I yielded to the temptation of first taking them to the South, of first seeing my friends, and of informing them of the terrible events that will affect the whole of our future."

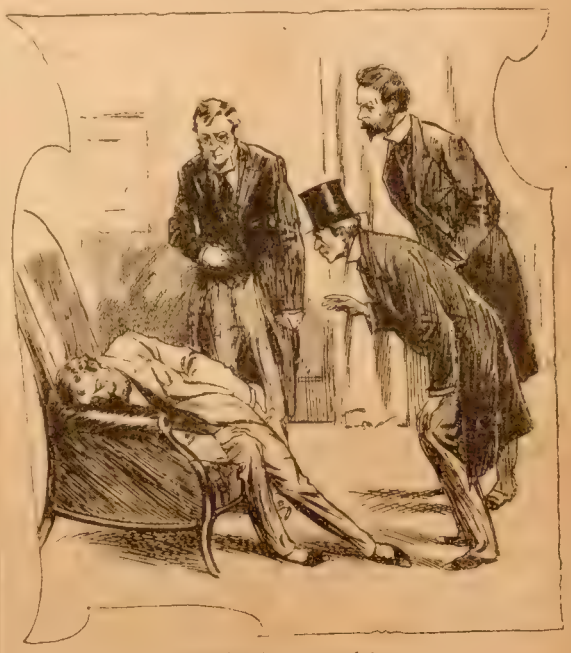
This much of the letter contained the whole gist of the communication, but the obviously excited state of the writer made him repeat it several times in different strains. One thing he was most emphatic about. He was going to return to Brussels in a short time and give himself up to justice, if there was any real charge against him.

Of course the postal officials sent the letter to the police at once, and the Procureur du Roi, accompanied by several detectives, went to the house in the Rue de la Loi and forced an entry. The upholsterer, M. Guiot, had only managed to furnish the three rooms indicated by Vaughan and to put up the curtains in the front of the house; otherwise the place was deserted. In the back dining-room, which Vaughan wished to use as a business apartment, they found the body of M. Bernays, crouched in an armchair. Their noses told the officers that the unfortunate man had been dead for several days. The cause of death was apparent enough—a gaping bullet-wound in the nape of the neck. According to the doctors, no man could have lived for more than a few seconds with that wound. On the clothes there was but little blood, but on the floor in front of the chair there was a large pool of coagulated blood, bearing the impression of a man's foot, which showed that Vaughan was not very accurate in his letter, and must have been in the house for some little time after the tragedy, and had forgotten that Bernays' nose did not bleed.

Then the question presented itself, Who was Vaughan? Was he a client of the dead barrister?

A search was made through the house, and the police collected a large number of papers, hotel bills, barristers' cards, maps of cities, plans of the proposed steamship scheme, and so forth, while in the bedroom they found a large quantity of the very finest underclothing, such as would only be worn by a man in very affluent circumstances. None the less, when later they came to make inquiries, they found no one except M. Almeyn and M. Guiot who knew Mr. Vaughan, or had actual business relations with him. Hotel keepers, barristers, engineers—all had merely known that he was Mr. Vaughan because he said so himself.

It was clear, then, that Mr. Vaughan must be found, and asked to give a more explicit account of the accident which had caused the death of M. Bernays, and, at the same time,



Crouched in an arm-chair.

required to give some satisfactory references as to character and means.

At first the police were inclined to believe that Vaughan's account of the affair was the correct one, for there was no evidence of robbery having taken place. Mrs. Bernays was naturally taken to see the body of her husband, and she noted that all his possessions were intact. She was then asked about her husband's business, and she said that Vaughan was a new client of her husband's, and had sent him a cheque for twenty pounds some weeks previously to retain his services, but she had never seen him.

She was then permitted to return to Antwerp, which she did. On the very evening of her arrival Armand Peltzer called to condole with her on her loss; but before he could open his mouth she startled him by exclaiming: "Swear to me by all you hold sacred, by the life of your child, that you do not know Henry Vaughan!" Armand was naturally a little annoyed at this abrupt reception, and said: "What can you be thinking of? This is sheer madness!"

Somehow or other, Madame Bernays was not satisfied with the whole affair, and deep down in the recesses of her heart there was the lurking suspicion that Armand Peltzer had some knowledge of the death of her husband. Curiously enough, a similar idea struck the police, though there was not a single officer in the Brussels force who could give any definite reason for the theory. Then the public began to whisper that it was Armand Peltzer who had slain the bar-

rister, and when it was pointed out that he had been seen in Antwerp on the very day of the crime, they said: "If it was not he, it was his brother."

Now, Armand had a very undesirable brother, named Léon. It will be remembered how Armand came from Buenos Ayres to annul a bankruptcy. Well, Léon was the cause of that failure. Léon was altogether a bad lot. He had traded in Manchester, and left a most unsavoury reputation behind him there, and one brother had to turn him adrift in South America because he was so dishonest. He became a commercial traveller in New York, but was a failure at that. He was known throughout Belgium as a swindler and a forger—indeed, he had forged Armand's name more than once—but he was regarded as too effeminate to be capable of killing a dog, much less a human being. However, when the public had made up its mind that Armand must have committed the murder, for no other reason than that he had been forbidden the house by M. Bernays, it decided that if he wanted an accomplice he would most probably have selected the black sheep of a brother.

The public outcry compelled the police to question Armand Peltzer, though he was not arrested. He produced a letter from Léon, which bore an American postmark of November 18, and was meant to show that Léon could not possibly have been Mr. Vaughan, because he would not have had time to have got to Antwerp and called on Almeyn on December 2. However, the authorities were instinctively convinced that Léon had a hand in the business, and Europe was scoured to find him; meanwhile, a strict watch was set on his brother.

That gentleman knew that his correspondence would be tampered with, and accordingly arranged that certain of his letters should be addressed to the house of Dr. Lavisé, a friend of his. This plan worked all right until Dr. Lavisé grew uneasy, and told the King's Procurator that he could not understand why Armand Peltzer wanted his letters sent to a different address. The official bade the doctor watch, and bring him information. This Dr. Lavisé did, and on March 5 gave the police the astounding news that Léon had been in Brussels that very morning. With that Armand was immediately arrested, and after a couple of days Léon was found in hiding at Aix la Chapelle.

Then the police made some very interesting discoveries. It appeared that Léon had been known in New York as Frederic Albert. The moment America was left behind him Léon dropped this name, and assumed that of Pellat. Then he was known as Mario, later as Valgravé, and last of all as—Henry Vaughan.

Henry Vaughan was a masterpiece of disguise. A celebrated London firm supplied the wig and cosmetics, while Léon's knowledge of England and Englishmen supplied the rest. Vaughan portrayed an Englishman to the life.

Then came a period of preparation. To cover anything like suspicion, Armand arranged that his brother should go to various hotels throughout the Continent and stay a day or two at each. A regular list of notabilities to be called on by Mr. Vaughan was also supplied to Léon by his brother, and these were in turn visited. All this was done in order that Vaughan should be considered a reality and a person of great wealth and respectability.

Having traced the wanderings of Léon as Mr. Vaughan, the police naturally asked where he got the thousands of francs which he had spent, and Léon said that they were given to him by a Mr. Murray, who was the projector of the steamship company. He could not, however, give any address for Murray, but said that he used to meet him in public-houses and on the boulevards when he had any business to transact. This the authorities disbelieved. So they made a strict search through Armand's books, and found that he had borrowed a sum of twenty-five thousand francs, which were not accounted for in the ledgers.

"SWEAR TO ME BY ALL THAT IS SACRED!"

It was next shown that Armand had a very definite motive for murdering M. Bernays. Not only had that gentleman mortally offended him, but with his death Madame Bernays became an exceedingly rich woman, and a most desirable marriage partie.

All this was put forward by the prosecution when the two brothers Peltzer were placed on their trial. Then it was proved that Bernays had been shot as he passed underneath one of the temporary curtains which Mr. Vaughan had been so anxious to have fixed up, and had later been lifted into the chair. To make certain of having sufficient weapons with which to commit the awful deed, Léon Peltzer had purchased eight revolvers in the few days preceding the committal of the murder. After a brief trial, the pair were found guilty, and condemned to death, a fate they richly deserved. Before the end Armand admitted that he had planned the whole affair, and expressed regret for having brought his brother into danger by enlisting his assistance. "But what would you?" he added, with a shrug of his shoulders. "He was useless as it was, and was always a rascal, while I am a gentleman!"

THE Extraordinary Career OF JENNY DIVER, The Queen of Pickpockets.

"She hath as many shapes as Proteus
and plays the devil in all of them."
—CONGREVE, "The Double Dealer."

A HUNDRED and sixty years ago the most popular preacher in London was the Rev. Dr. James Foster, who, although a Dissenter, drew all the fashionable people in town to hear him at his chapel in Old Jewry. Clergy and laity, orthodox believers and fierce Freethinkers, wits and fops, beaux and belles, crowded with equal eagerness to hear him of whom Pope wrote:

"Let modest Foster, if he will, excel
Ten Metropolitans in preaching well."

One summer evening, when the eloquent doctor was at the very height of his fame, among the throng of fashionable folks flocking to the chapel in Old Jewry was a lady in a sedan-chair, attended by a footman in livery and a maid. The lady was young, extremely handsome, and remarkably well dressed. Moreover, as any married man or woman could see at a glance, she was in that interesting condition in which "ladies wish to be who love their lords." Leaning on the arm of her maid, whilst her footman preceded her, this interesting young person entered the chapel, and was shown into a pew in which two elderly ladies were seated.

Evidently impressed by the appearance of the stranger, who looked every inch a lady of quality, the inmates of the pew made room for her willingly, and she demurely seated herself between them.

With the keen eyes of their sex for such matters, the elderly pair had noticed her condition, and their womanly sympathies were aroused. Besides, nothing could exceed the devotional earnestness of this lovely and interesting young creature. She was unable, of course, to stand during those portions of the service when the rest of the congregation rose to their feet, but her eyes were fixed on the book which she held in both hands before her, and she repeated the responses with fervour in a melodious voice which was audible to all around her.

Just before the sermon, however, she was taken faint, and half-a-dozen scent bottles were placed at her disposal by kind and sympathetic neighbours, but she feebly murmured "Where is my maid?"

Promptly that attentive Abigail was at her mistress's side, and with the assistance of the footman and two or three members of the congregation she was conveyed to the door, where she entered a sedan-chair, and, after very prettily thanking those who had assisted her, was borne away to her fashionable lodgings.

As soon as this little sensation was over, the congregation settled down to listen to Dr. Foster's powerful sermon. When it was finished, and they were leaving the chapel, one of the two ladies between whom the fair stranger had been seated wished to ascertain the time, but, on placing her hand to her watch-pocket, found that her handsome gold watch was gone. The other at once anxiously felt for hers, and made a similar unpleasant discovery. "Oh, I have been robbed!" exclaimed both simultaneously. Further research told the unfortunate ladies that their well-filled purses had gone with the watches, and their indignant outcries naturally attracted the attention of the crowd who were pouring out of the chapel. There was, as might have been expected, a general feeling of pockets and fobs to see if the portable property therein contained was safe. Five or six other members of the eloquent doctor's congregation discovered that they had been similarly victimised, and there was a cry of, "Where are the thieves?" Curiously enough, the two elderly ladies who had been the first to discover their loss repudiated the idea that the elegant and attractive young woman who had sat in their pew could have had any hand in the theft, for they remembered that she never once moved her hands from the book which she held. Others, however, were more sceptical, and their suspicions would have received

"Confirmation strong as proofs of holy writ"

could they have seen that fair and interesting stranger a few hours later.

About eleven o'clock that night, in one of the low streets contiguous to the Seven Dials, a large and convivial party was gathered in one of those curious underground apartments which were then one of the features of St. Giles's.

A finer collection of gallows birds could not well be imagined. Every conceivable variety of thief was there, from the area-sneak and the prig to the burglar and the gallant highwayman. For Jenny Diver, the Queen of Pickpockets, the goddess of St. Giles's, the cleverest, wittiest, loveliest piece of depraved humanity that ever made an innocent face and bewitching manners a cloak for lawlessness and crime, was standing a supper to all her old pals. And on such occasions Jenny's liberality knew no bounds.

There she sat at the head of the table, queen of the revels, gorgeously dressed, the diamonds, which the meanest prig there would never have dared to touch whilst they were on her neck, sparkling in the candle-light, but not half so bright as the wicked eyes that gave a baneful lustre to that beautiful face.

Who would have recognised in this brilliant Bacchante the demure, modest young matron who had but a few hours before created such a sensation in Dr. Foster's chapel? Amidst roars of laughter, Jenny told how she had cleared out the pockets of the two elderly ladies—how she had made herself up to look in the family-way; how, with her false arms folded piously before her, she had plied her real ones to some purpose beneath her cloak; how her maid and footman, both of whom were of the supper party, had in the confusion consequent upon her being taken faint done good business among the pockets of the gallant gentlemen who had helped to assist her to her sedan-chair; how ten gold watches, half-a-dozen fat purses, and as many gold-mounted scent-bottles had rewarded her devotional exercises at Old Jewry.

Every eye was fixed in admiration on this abandoned hussy, whose talents had raised her in an incredibly short space of time to the head of her profession. Who among that lawless crew could help admiring her when they remembered that it was but eighteen months before that, as simple Mary Young, a servant-maid out of employment, she had been introduced to them by Anne Murphy, who now acted as her maid?

When her pal first brought her to St. Giles's, Mary Young had never picked a pocket. She was apparently a guileless Irish girl, as green as the pastures of her own Emerald Isle. But she soon showed them what genius can do. In less than three months she was admitted to be the cleverest and most audacious thief that ever prigged a wipe or boned a ticker. Her disguises were splendid. She was a born actress, and could not only assume any character, but keep it up as long as she chose with inimitable skill and fidelity to nature, whilst her lovely face, her graceful figure, and those wonderful, witching Irish eyes of hers could make fools or slaves of all the men and most of the women who came under their influence.

Dashing highwaymen squandered their money on her with reckless lavishness, and fought with one another for her smiles. She might, had she chosen, have been the most popular and fashionable courtesan of her day; but crime had for Jenny the fascination which gambling has for some natures. She was never happy unless she was plying her dangerous trade of picking pockets. And, though her morals were loose enough in all conscience, she scorned to be classed among the professional "unfortunates," but held her head high and boasted that she made her living by her own hands alone.

But by-and-by Jenny found London "too hot to hold her,"

despite all her disguises. So she decided that change of air would be good for her, and, with her faithful pal, Anne Murphy, she took her departure for Bristol. It was agreed between the pals that they should put up at different inns and assume the character of respectable merchants' wives who were awaiting the arrival of their husbands. Each, by the way, brought down her fancy man, who acted as footman.

But provincial life was soon too slow for the gay and lively Jenny, and, after despoiling the West-country folks, she returned to town and set up in fashionable lodgings near Covent Garden, so as to be handy for the theatres and other places of public resort, which were her happy hunting-grounds.

Our heroine, however, trusted too much to the good luck which had hitherto attended her, and went out one evening to pursue her calling when she was not as sober as she might have been. The consequence was she was caught with her hand in a gentleman's pocket, and promptly handed over to the authorities.

As she had been caught red-handed in the act of theft, her protestations of innocence availed her nothing, and she was sentenced to transportation for five years. She was four months in prison before she started, and during that period, thanks to the faithful Anne Murphy and other good pals, male and female, she was able to make large purchases of stolen goods, and something like a waggon-load was shipped in her name on board the vessel which was to carry her to Virginia.

On arriving at her destination she sold these goods at an immense profit, and was able to live in style out there, for things were made very easy for anyone who had money, and transportation was no hardship to those who could pay their way. Jenny, however, did not find Virginia much to her taste, and, having fascinated a young planter who was about to return to England, persuaded him to take her home with him as his wife, though their union was not of the sort that Holy Mother Church countenances.

Little did that foolish youth dream that he was dealing with the most treacherous and deceitful of a sex which has ever been accused of deceit and treachery. She affected to be unutterably spoony upon the hapless Juggins, whilst she was all the time racking her brains to discover some way of robbing him and leaving him before the ship should arrive in London.

Just before they reached Gravesend she feigned to be seriously ill, and implored her protector to let her go ashore and travel up to London by coach, promising faithfully to meet him later on. She appeared to be suffering so much that she won the sympathy of all on board, and, according to her wish, was set ashore at Gravesend. The parting between her and her lover was most affecting. But an hour or two later his feelings must have received something of a shock when he discovered that his lady-love had robbed him of everything she could lay her hands on.

Needless to say, she did not meet him in London, nor could he find any trace of her, though he set the "hue and cry" after her.

THE LADY SEIZED THE GOWN OF HIS ACCOMPLICE.

Jenny knew better than to show herself in London just yet. She travelled in the country as a lady of quality, and no doubt had a high old time on the proceeds of her last stroke of business.

At last she ventured up to London. But, though she had been away less than two years, she found that most of her old pals had disappeared. Nevertheless, she soon resumed her sway over the lawless denizens of St. Giles's, and once more showed that she was a born queen.

During her incarceration before she was transported to Virginia she had given birth to a daughter whom she had entrusted to the chaplain of the gaol with a considerable sum of money and an earnest entreaty that the child might be brought up respectably, and never know the history of its mother. It is a fact that on her return she actually had the audacity to call upon that chaplain, bamboozle him with a story of her marriage in Virginia, and find out where her daughter was.

She was soon afterwards the mother of a second daughter, who was brought up with the first under the name of

West in a "genteel family," and subsequently both girls were sent to a fashionable school and educated as ladies. Their mother frequently saw them, but never revealed her identity. She was always the "rich aunt" who had undertaken to bring up the children of her sister, who was abroad.

Meanwhile, Jenny plied her nefarious trade more briskly than ever, and made a rare harvest among the gentlemen in the City, whom she robbed on the very steps of the Exchange. Once more, however, Nemesis overtook her. She was detected in the act of picking a gentleman's pocket on London Bridge, and lodged in the lock-up. The next day she was committed to Newgate to stand her trial for theft under the name of Jane Webb.

When the trial came on she would undoubtedly have been acquitted but for one of her own sex—for the principal male witness against her took a bribe of £50, and failed to appear, whilst the prosecutor, a susceptible gentleman, could not stand the battery of Jenny's eyes, and grew so fascinated by her beauty as he looked at her in the dock that he would probably have perjured himself a dozen times over to win a smile from her. But, unfortunately for Jenny, a lady came forward who swore most positively that she had seen the prisoner pick a dozen pockets in the crowd before she placed her hand in the pocket of the prosecutor. Nothing could shake the evidence of this witness, and Jenny saw that she was doomed.

The jury found her guilty, but before sentence was passed the prosecutor was asked to swear to the value of the property taken from him. He looked at Jenny, and Jenny threw her whole soul into her eyes as she returned the look, for her life depended upon his answer. If the value of the property stolen was more than a shilling, death was the penalty. It may well be imagined, therefore, with what intense anxiety Jenny awaited the prosecutor's statement, and the thrill of relief with which she heard him say, "Less than a shilling." She was accordingly sentenced to transportation again.

But within a year she was back in London. Her escape this time was even more romantic than before. She stowed herself away in the hold of a ship that was about to sail for England, and when brought before the captain told him such a piteous tale that his soft heart was touched. He fell in love with her on the spot, and she was quite willing to be his mistress during the voyage on condition that she had her liberty when she reached England.

Once more Jenny Diver found herself in her beloved London, and a comparatively rich woman to boot, for she had invested the proceeds of her thefts prudently, had placed the funds in the hands of trustees who knew nothing of her career and true character, and might have lived comfortably upon the interest of her investments for the rest of her life. But it was not in her to live honestly. She was soon at the old game again, as clever, as audacious, as successful as ever. She confessed afterwards that at this period her "earnings" frequently amounted to £80 or £100 a week. She lived in good style, and found it politic to let her old St. Giles's friends share now and then in her spoils, but she still put by money, and added to her now considerable independent income. How she contrived to elude all efforts to capture her is a mystery. No doubt her disguises were admirable, and her resources and cunning infinite, but, even allowing all this, one cannot help thinking that she must have found means to bribe the officers of the law, though she never admitted it. But, like most other criminals, Jenny tempted fortune once too often, and the inevitable end came to her career at last. There was, we are grieved to say, something quite inartistic and wholly unworthy of her genius in the crime which eventually brought Jenny into the clutches of the law, never more to escape from them. She was then living with the man who was the father of one of her children, a dashing, handsome blackguard named Hackett, who had in his time been a gentleman of the road, but had given that business up, we suspect, because he had not the necessary nerve and courage to carry it on successfully. In an evil hour he persuaded Jenny that she would reap a far richer harvest if she let him work with her. It was a fatal mistake. He could not go long without drinking, and he dragged Jenny with him into wineshops and taverns, where the liquor unsteadied her.

Thus it was that one afternoon in the January of the year 1760 she blundered over her business, and paid the penalty.

A lady who was on her way from Sherborne Lane to Walbrook came suddenly upon some planks covering an excavation. As she paused irresolutely, a gentlemanly-looking man offered her his hand to escort her across. She accepted the offer, and was surprised to find her hand grasped as if in a vice, while she was conscious that fingers were busy at her pocket. As soon as she was safely across the planks she called out lustily, "Help, help, help! they are robbing me!" The man let go her hand, slipped down an alley, and was lost to sight. But the lady seized the gown of his accomplice—who was none other than Jenny Diver herself—and hung on to it like grim death till a constable was fetched, who promptly hauled Jenny off to the Bridewell, where, on being searched, the lady's purse, containing thirteen shillings, was found upon Jenny's person.

On the following day Jenny was brought before the Lord Mayor and committed for trial at the next Old Bailey Sessions.

With one of her own sex prosecuting her, poor Jenny had no hope of availing herself of her beauty. In vain were all her tears, in vain her appeals for mercy. The prosecutrix was as hard as flint, and there was the fatal purse with its contents as damning evidence of her guilt. The verdict was "Guilty." The sentence "Death."

Jenny was terribly upset, and the shriek that she gave as she fell fainting into the arms of the warder when doom was pronounced upon her, was perhaps the most genuine expression of emotion that ever came from her.

But she soon recovered her composure, and when, twenty-four hours later, on the 18th of March, 1760, in company with the chaplain to whom she had before entrusted her child, she entered the mourning-coach which was to convey her to Tyburn, she was tranquil and even cheerful.

On arriving at the scaffold she knelt down and prayed with the chaplain for some time; then, after kissing him on both cheeks, surrendered herself to the hangman, and five minutes later her lifeless body was dangling from the "Tyburn tree."

By her own express wish she was buried in St. Pancras Churchyard. The chaplain, to whom we have referred, was her sole executor, and in his hands she left upwards of £3,000 to be equally divided between her two daughters. One of them subsequently married an alderman, but we may be sure that the chaplain was true to his trust, and never betrayed the fact that the handsome, accomplished Miss West was the daughter of Jenny Diver, the notorious pickpocket.

The JUDGE and JURY

PART VIII.

PRIVILEGE OF WITNESSES.

THE present generation owes a debt of gratitude to Mr. Ernest Terah Hooley for the way in which he has kept counsel in order. The present writer was once playing a cricket match. On the other side there was a very swaggering clergyman. Very soon the squire came to look on. He was not a popular squire, but he had one strong point—he "kept his parson in order." A great many counsel, more or less learned in the law, have a knack of "trying it on," and judges, being drawn from the same class, are addicted, some of them, to letting the barrister score off the witness. It is very cowardly of the judges who tolerate that sort of thing. But counsel who take on Mr. Hooley get none the best of the exchanges. In Continental circuses the staff of clowns and interlocutors are expected to have a constant flow of repartee on tap during stable hours. If a clown has no counter for a job in the jaw from a jocose acrobat he is fired; that very week there is a deduction from that clown's screw. Counsel should take a hint. Even if they do not get disqualified for hitting a witness below the belt, their market value goes down appreciably when they get the worst in a slanging match with a layman.

It does not necessarily follow that because a person is competent to give evidence he is consequently compellable to do so. In many cases a witness may decline to answer a question or to produce a document. Nobody, except the prisoner himself, and, in his case, only when he is giving

evidence on his own application, and with reference to the offence wherewith he is charged, can be made to answer a question if the answer would, in the opinion of the court, tend to expose the witness or his or her wife or husband to any criminal charge, penalty, or forfeiture which would be likely to be preferred or sued for in consequence of admissions made in reply to such question.

Accordingly, an accomplice cannot be made to answer without his consent. But if an accomplice who has volunteered his evidence upon promise of free pardon or favourable consideration refuses full and fair information, he makes himself liable to be convicted on his own confession. All the same, even accomplices in their cross-examination are not required to answer questions with reference to other offences.

Now we come to the effect of the "Criminal Evidence Amendment Act of 1898. Where a prisoner offers himself as evidence, he may be asked any question in cross-examination, notwithstanding that it would tend to criminate him as to the offence charged. But he may not be asked, and, if he is asked, though the fat is already in the fire through the putting of the question, he must not be required to answer any question tending to show that he has committed, or been convicted of, or been charged with any other offence, or is of bad character, unless—

(i.) The proof that he has committed or been convicted of the other offence is admissible evidence to show that he is guilty of the offence with which he is then charged; or,

(ii.) He has personally or by his "mouthpiece" asked questions of the witnesses for the prosecution with a view to show that he is entitled to wear the white flower of a blameless life, or that he has said words to that effect himself, or that the nature or conduct of the defence is such as to involve imputations on the character of the prosecutor or his witnesses; or

(iii.) He has given evidence against any other person charged with the same offence.

He may not be asked questions tending to criminate his wife. Evidence tending to prove that the prisoner has been guilty of other criminal acts than those referred to in the charge is not admissible, except on the issue whether the acts charged against the accused were designed or accidental, or if the evidence were simply brought forward for the purpose of rebutting a defence of the prisoner which would be believed in but for the production of such evidence. A recent New South Wales baby-farming case is the law-book example (Makin v. Attorney-General for New South Wales, L. R. (1894), A. C., 57), illustrating the circumstances under which evidence of this kind is admissible.

The prisoners were charged with wilfully murdering an infant child. It had been shown that they had taken over the child from the mother, and for some amount of money which would only have sufficed for the child's maintenance for an inconsiderable time, had represented themselves as being willing to adopt it. Their garden was the child's cemetery, as it had been the cemetery of many other children received from their mothers under similar circumstances. It is only comon sense that the disposal of these former innocent childn was matter relevant to the charge of murdering the presenne. As the prisoners gave evidence on their own behalf in te present case, it was properly ruled that they could be sked questions dealing with the circumstances under wh the other children came to be buried in that back garn.

The pilege as to not giving criminating answers does not incle answers that merely tend to establish a civil liability. No one is excused from replying to a question or from prucing a document simply because the reply or the documermight show or tend to show that he owed some money (that he was liable to a civil action either at the instancf the Crown or other person.

Nowo far we have dealt with questions which concern the pertal privilege of witnesses. If the witness need not answerquestion, but chose to waive his privilege, and did answene question, his answer had to be received in evidence. 3ut there is other privilege which is for the benefit of otheparties, and cannot be waived without their consent. In thease of "O'Donnell v. 'The Times,'" many people thougl that all sorts of evidence was given with reference to perns who were not before the court, and who were not represted by counsel. If such was the case, it was very reprehsible. Again, in "Crawford v. Crawford, Queen's Proctor intervening," Sir Charles Dilke was not represented by counsel, and counsel for the Queen's Proctor cannot be complimented on the result of the way in which they acted as "Amicus Caroli Dilki," even if their success as "Amicus Curiæ" was fairly satisfactory.

To return to the general subject. No one can be compelled to give evidence referring to any affairs of State nor as to official communications between public servants or public matters except with the consent of the official at the head of the department concerned. Nor in a case in which the Government is immediately concerned can a witness be made to answer such a question as "Who put you up to this?" A husband cannot be made to disclose any communication made to him by his wife during marriage, nor can a wife be made to disclose any communication made to her during marriage by her husband. But the conversations during the courting process are liable to be demanded.

The expression "legal adviser" includes barristers, solicitors, their Scotch and Colonial equivalents, and their clerks and interpreters between them and their clients. Any of the above are not permitted, whether during or after their employment in the above capacity, unless with the client's express consent, to disclose any oral or documentary communication made to them, as such legal adviser, by or on behalf of the client and for the purpose of such employment, or to disclose any advice given by them to the client, during, in the course of, and for the purpose of such employment. But this protection does not extend to—

(i.) Any such communication if made in furtherance of any criminal purpose;

(ii.) Any fact noticed by a legal adviser in the course of his employment as such showing that any crime or fraud has been committed since the commencement of his employment, whether his attention was directed to such fact, or not, by or on behalf of his client;

(iii.) Any fact with which the legal adviser became acquainted otherwise than in his character as such.

Medical men and clergymen are not privileged from the disclosure of communications made to them in professional confidence, but it is not usual to press for the disclosure of communications made to clergymen. As to communications made to members of the Salvation Army (but the case to which we are referring will be dealt with historically in another column). With regard to doctors, supposing in a case of robbery with violence the attacked party had struck one of his assailants in the eye in such a way as that the assailant should be "marked," unless he received immediate surgical relief, it would be ridiculous to allow a medical witness to claim "privilege," and to let him decline to answer a question: "Did you lance So-and-so for a black eye?"

Medical men have a way of declining to come as a "common witness." It seems hard that a man charged with "being drunk and assaulting the police" should have to pay a doctor 7s. 6d. for swearing that he was sober, but can make the doctor swear that he did not assault the police (if that be true) for considerably less.

Copper and Brass.

A witness with a very red nose was being cross-examined by Mr. Samuel Pope, and the latter said to him, "Now, Mr. Coppernose, what have you got to say?"

"Why, upon my oath," retorted the witness, "I would not exchange my copper nose for your brazen face!"

Answers to Correspondents

The Editor will be pleased to answer any suitable questions.

A Constant Reader.—The father of the child can register it in his own name.

P. Parsonage (Liverpool).—The crime of John Gleeson Wilson will shortly be described.

Artful Jim.—The life of Charles Peace and the exploits of Dick Turpin were given in Nos. 1 to 6, which can be obtained from the publisher.

Constant Reader (Warrington). Yes. We will shortly give the particulars of the crime. John Fenton was traced by means of a dented halfpenny.

Anxious.—It is the practice of the Home Office to release, on ticket of leave, persons sentenced to penal servitude for life after they have served twenty years of their term.

MOUSTACHE. A Beautiful MOUSTACHE grows in a few days when using Rowland's Pomatum. Tried, approved; recommended to all. Send 6d. in stamps for a box to Mr. T. DALET, 42, Gray's Inn Road, London.

DAINTY NOVELS ONE PENNY WEEKLY.

Printed and Published by HAROLD FURNISS, at Caxton House, Gough Square, Fleet Street, London.

Sole Agts for the Colonies—Gordon & Gotch, London; Melbourne; Sydney; Brisbane; Perth, W.A.; Wellington N.Z.; Christchurch, N.Z.; Cape Town & Durban, S.A.